

125
Rebellion
in
LOWER CANADA.

COPIES OR EXTRACTS
OF
CORRESPONDENCE
RELATIVE TO THE
AFFAIRS OF LOWER CANADA.

(PRESENTED BY HER MAJESTY'S COMMAND.)

*Ordered, by The House of Commons, to be Printed,
23 December 1837.*

[Price 1s. 3d.]

LOUISIANA

COPY OF EXTRA

CORRESPONDENCE

LETTERS TO THE

LOUISIANA

(CONTINUED FROM THE PREVIOUS PAGE)

THE LOUISIANA

LOUISIANA

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COPIES or EXTRACTS of CORRESPONDENCE relative to the AFFAIRS of
LOWER CANADA.

— No. 1. —

(No. 185.)

COPY of a DESPATCH from Lord *Glenelg* to the Earl of *Gosford*,
dated Downing-street, 11 March 1837.

My Lord,

ALTHOUGH I am unable at the present moment to enter, as fully as the occasion might seem to require, into an explanation of the reasons for the course which his Majesty's Government have felt it their duty to adopt in relation to the affairs of Lower Canada, nor into a statement of the duties which will consequently devolve on your Lordship, I feel it incumbent on me to avail myself of the first opportunity which has offered since the affairs of Lower Canada have been brought before The House of Commons, of informing you of the proceedings of Parliament with reference to this subject.

On the 6th instant, Lord John Russell proposed to The House of Commons, in a Committee of the whole House, the series of Resolutions, of which I enclose a copy for your Lordship's information. As an amendment to the fourth Resolution, it was moved to substitute a Declaration, that it is expedient that the Legislative Council of Lower Canada be made elective. The debate was continued by adjournment to the 8th instant, when, upon a division, the amendment was rejected by a majority of 318 to 56. After several divisions on questions of adjournment, The House ultimately divided on the main question, when the original Resolution, respecting the Legislative Council, was carried by a majority of 144 to 16.

I transmit to you the lists of the several divisions which took place on this occasion. The further proceedings were then deferred until the evidence taken before the Parliamentary Committee of 1834, to which reference had been made in the debate, should have been printed. The pressure of public business may, perhaps, render it impossible to resume the question until after the Easter holidays; but it is the intention of his Majesty's Government to incur no delay which is not absolutely indispensable, in obtaining the decision of The House of Commons on the remaining Resolutions. The debate, indeed, on the fourth Resolution was by no means confined to the single though important question to which it specifically relates, and the expression of the opinion of so large a majority of The House of Commons in the recent divisions, though formally decisive only of that single Resolution, may fairly be assumed as expressing the sense of The House on the general nature of the demands which have been preferred by the House of Assembly of Lower Canada. The result will, I trust, have a salutary effect in the Province, in showing that, after having evinced the fullest disposition to concede every just and reasonable demand, his Majesty's Government are secure in the support of Parliament, in resisting pretensions dangerous to the interest of the community, and at variance with the constitution itself, and with the relations between a dependency of the British Empire and the Parent State. It will further appear from the debate which took place on the recent occasion, that although prepared to meet with firmness the emergency which has unhappily arisen, his Majesty's Government will not advance beyond the precise limits of the necessity which requires and justifies their interference with the privileges of the Canadian Legislature, although it might be maintained by some, that stronger measures were demanded by the exigency of Canadian affairs.

Your Lordship will perceive from the Resolutions, that it is proposed that provision should be made for the payment of the salaries of the public officers in Lower Canada only to the 10th of April next. It forms no part of the policy of his Majesty's Government to supersede the functions, or to interfere with the constitutional privileges, of the House of Assembly of the Province to a greater extent than, under the pressing urgency of existing circumstances, has appeared to them unavoidable. It is their earnest hope that no future appeal to Parliament may be rendered necessary, by a continued abstinence on the part of the Assembly

No. 1.

Lord Glenelg to
Earl of Gosford,
11 March 1837.

No. 1.

Lord Glenelg to
Earl of Gosford,
11 March 1837.

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CORRESPONDENCE RELATIVE TO THE

from the exercise of those functions with which that branch of the Provincial Legislature has been intrusted, and his Majesty's Government have therefore resolved to endeavour, for a time at least, to contract the indispensable expenditure of the Province within the amount of those resources which are now subject to the control of the Crown and applicable to this purpose.

These funds may, as appears from the Reports of the Commissioners, be safely estimated at from 28,000 *l.* to 30,000 *l.* per annum. From that sum your Lordship will be able to defray the various charges which are enumerated in the Minute subjoined to this despatch. If, as I assume, the sum of 28,000 *l.* may be taken as clear from all charges of collection and management, there will remain a surplus of 2,600 *l.* per annum and upwards, applicable to any unforeseen but necessary expenditure which it may become your duty to incur. Even allowing for those charges, there will yet be an inconsiderable surplus of a few hundred pounds per annum; for the present, your Lordship will consider the hereditary, territorial and casual revenues appropriated to the services enumerated in the subjoined Minute, and will apply the proceeds accordingly.

This arrangement will provide for the first and indispensable exigencies of your administration from the 10th of April. It will, however, I fear, leave many important objects unprovided for, which have formerly been included in the appropriations made by the Legislature of the Province, but for which his Majesty's Government do not feel themselves imperatively called upon to provide, in the absence of any such appropriation; disclaiming, therefore, on the part of his Majesty's Executive Government, all responsibility for the personal and public inconvenience which may follow, the evil must, for the present at least, be encountered and sustained.

Should the funds at your disposal be more ample than I have anticipated, your Lordship will consider in what way the public interests may be best consulted in the application of any sum remaining at your disposal, after providing for the services to which I have referred.

Amongst the immediate effects of thus restricting the expenditure of the Government to objects of primary necessity is to be numbered the want of any security which the Government can offer for the future payment of those public officers whose salaries cannot be defrayed out of the resources at the disposal of the Crown; it follows as a necessary consequence, that immediate notice should be given to such officers, that as his Majesty can enter into no engagement for their further remuneration, the duties which they have hitherto discharged can no longer be required from them. If they shall continue in the performance of these duties, it must be at the risk of being remunerated hereafter by supplies to be granted for that purpose by the Provincial Legislature.

I have thought it essential to address this communication to you at the earliest moment at which it has been in my power to do so, and your Lordship may confidently rely on receiving further instruction for your guidance so soon as I shall be enabled to communicate to you the decision of Parliament on those points which still remain to be discussed in reference to the affairs of Lower Canada. In the meantime, I can only express my deep regret that you should be called to the discharge of duties of a painful and invidious nature, and involving at the same time no ordinary degree of responsibility. The personal esteem which your Lordship appears to have conciliated from men of all parties in the Province will, I trust, tend to strengthen your hands in your endeavour to moderate the violence of extreme opinions, and to acquire the support and assistance of all those who acknowledge the impartiality of your administration, and recognize in your acts a sincere desire to carry out the gracious intentions of his Majesty to govern Lower Canada only for the interests and welfare of all classes of his Majesty's subjects in the colony.

I have, &c.
(signed)

Glenelg.

Enclosure 1, in No. 1.

RESOLUTIONS intended to be proposed by Lord John Russell, in a Committee of the whole House, relative to the Affairs of Canada.

Encl. 1, in No. 1.

1. THAT since the 31st day of October, in the year 1832, no provision has been made by the Legislature of the Province of Lower Canada for defraying the charges of the administration of justice, and for the support of the civil government within the said Province, and

AFFAIRS OF LOWER CANADA.

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No. 1.

and that there will, on the 10th day of April now next ensuing, be required, for defraying in full the charges aforesaid to that day, the sum of 142,160*l.* 14*s.* 6*d.*

Lord Glenelg to
Earl of Gosford,
11 March 1837.

Encl. 1, in No. 1.

2. That at a Session of the Legislature of Lower Canada, holden at the city of Quebec, in the said Province, in the months of September and October 1836, the Governor of the said Province, in compliance with his Majesty's commands, recommended to the attention of the House of Assembly thereof the estimates for the current year, and also the accounts, showing the arrears due in respect of the civil government, and signified to the said House his Majesty's confidence that they would accede to the application which he had been commanded to renew for payment of the arrears due on account of the public service, and for the funds necessary to carry on the civil government of the Province.

3. That the said House of Assembly, on the 3d day of October 1836, by an Address to the Governor of the said Province, declined to vote a supply for the purposes aforesaid, and by the said Address, after referring to a former Address of the said House to the Governor of the said Province, declared that the said House persisted, amongst other things, in the demand of an Elective Legislative Council, and in demanding the repeal of a certain Act passed by the Parliament of the United Kingdom in favour of the North American Land Company; and by the said Address, the said House of Assembly further adverted to the demand made by that House of the free exercise of its control over all the branches of the Executive Government; and by the said Address, the said House of Assembly further declared, that it was incumbent on them in the present conjuncture to adjourn their deliberations until his Majesty's Government should by its acts, especially by rendering the second branch of the Legislature conformable to the wishes and wants of the people, have commenced the great work of justice and reform, and created a confidence which alone could crown it with success.

4. That in the existing state of Lower Canada, it is inadvisable to make the Legislative Council of that Province an Elective Body; but that it is expedient that measures be adopted for securing to that branch of the Legislature a greater degree of public confidence.

5. That while it is expedient to improve the composition of the Executive Council in Lower Canada, it is inadvisable to subject it to the responsibility demanded by the House of Assembly of that Province.

6. That the legal title of the North American Land Company to the land holden by the said Company, by virtue of a grant from his Majesty, under the public seal of the said Province, and to the privileges conferred on the said Company by the Act for that purpose made in the fourth year of his Majesty's reign, ought to be maintained inviolate.

7. That it is expedient that, so soon as provision shall have been made by law to be passed by the Legislature of the said Province of Lower Canada for the discharge of lands therein from feudal dues and services, and for removing any doubts as to the incidents of the tenure of land in free and common socage in the said Province, a certain Act made and passed in the sixth year of the reign of his late Majesty King George the Fourth, commonly called "The Canada Tenures Act;" and so much of another Act passed in the third year of his said late Majesty's reign, commonly called "The Canada Trade Act," as relates to the tenures of land in the said Province, should be repealed, saving nevertheless to all persons all rights in them vested under or by virtue of the said recited Acts.

8. That for defraying the arrears due on account of the established and customary charges of the administration of justice and of the civil government of the said Province it is expedient that, after applying for that purpose such balance as shall on the said 10th day of April 1837, be in the hands of the Receiver-general of the said Province, arising from his Majesty's hereditary, territorial and casual revenue, the Governor of the said Province be empowered to issue from and out of any other part of his Majesty's revenues in the hands of the Receiver-general of the said Province such further sums as shall be necessary to effect the payment of the before-mentioned sum of 142,160*l.* 14*s.* 6*d.*

9. That it is expedient that his Majesty be authorized to place at the disposal of the Legislature of the said Province the net proceeds of his Majesty's hereditary, territorial and casual revenue arising within the same, in case the said Legislature shall see fit to grant to his Majesty a civil list for defraying the necessary charges of the administration of justice, and for the maintenance and unavoidable expenses of certain of the principal offices of the civil government of the said Province.

10. That great inconvenience has been sustained by his Majesty's subjects inhabiting the Provinces of Lower Canada and Upper Canada from the want of some adequate means for regulating and adjusting questions respecting the trade and commerce of the said Provinces, and divers other questions wherein the said Provinces have a common interest; and it is expedient that the Legislatures of the said Provinces respectively be authorized to make provision for the joint regulation and adjustment of such their common interests.

CORRESPONDENCE RELATIVE TO THE

No. 1.

Lord Glenelg to
Earl of Gosford,
11 March 1837.

Encl. 2, in No. 1.

Enclosure 2, in No. 1.
MINUTE.

	£.	s.
Salary to Governor - - - - -	4,500	-
Ditto to Judges - - - - -	10,000	-
Gaols and Maintenance of the Peace - - - - -	5,000	-
Salaries of Executive Councillors - - - - -	900	-
Ditto - - Civil Secretary - - - - -	500	-
Contingencies of his office - - - - -	500	-
Attorney-general's salary - - - - -	300	-
Solicitor-general's ditto - - - - -	200	-
Law Officers' contingencies - - - - -	1,800	-
Judges' Circuit Allowances - - - - -	375	-
Pensions - - - - -	550	-
Retired Allowances - - - - -	112	10
Expense of managing Crown Lands and Reserves - - - - -	2,400	-
	<u>£. 27,137</u>	<u>10</u>

—No. 2.—

EXTRACT of a DESPATCH from Lord *Glenelg* to the Earl of *Gosford*,
dated Downing-street, 6 March 1837.

No. 2.

Lord Glenelg to
Earl of Gosford,
6 March 1837.

I TRUST there is no serious danger of any public commotion, still less of any armed resistance. But as a measure of precaution, we shall probably strengthen the military force very shortly by the temporary addition of two regiments, and the "Inconstant" frigate will appear in the St. Lawrence as soon as the navigation is open.

—No. 3.—

EXTRACT of a DESPATCH from Lord *Glenelg* to the Earl of *Gosford*,
dated Downing-street, 22 March 1837.

No. 3.

Lord Glenelg to
Earl of Gosford,
22 March 1837.

My last private letter will have led you to expect a reinforcement of the garrison in Lower Canada, by the addition of two regiments. Since I made that communication to you, I have ascertained that it would not be possible to detach such a force without inconvenience, and making a demonstration which might be productive of much greater evil than it could prevent. But I also find that in New Brunswick and Nova Scotia, there are between 2,000 and 3,000 men, who, in case of need, might be drawn from those provinces for your assistance. I have scarcely any apprehension that you will require them; but should it be necessary, you will transmit the enclosed letter to Sir C. Campbell, who will immediately despatch them to your aid. I should also wish you to keep Sir Francis Head informed of your proceedings and intentions on this subject.

The discussion of the Canada Resolutions has been inevitably postponed till after the Easter holidays; it will be resumed at the earliest possible moment. I shall take the first opportunity of bringing on the subject in the House of Lords.

Enclosure in No. 3.

Sir,

Downing-street, 22 March 1837.

Encl. in No. 3.

I HAVE his Majesty's commands to desire that you will immediately comply with any requisition which may be addressed to you by the Earl of Gosford, for detaching to his assistance any of his Majesty's Troops under your command in Nova Scotia, New Brunswick or Prince Edward's Island.

Sir Colin Campbell,
&c. &c. &c.

I have, &c.
(signed) *Glenelg*.

—No. 4.—

EXTRACT of a DESPATCH from the Earl of *Gosford* to Lord *Glenelg*,
dated Castle St. Lewis, 8 March 1837.

No. 4.

Earl of Gosford
to Lord Glenelg,
8 March 1837.

A FEELING of dissatisfaction with the Assembly, in regard to its proceedings in the last short session, is spreading, but not gone to such an extent as to induce me to suppose that a dissolution at this moment would be desirable; but if an appeal was now made to the people, I am sure what is termed the majority in

in the Assembly would experience a diminution in their ranks; but, under existing circumstances, I see no positive substantial good to result from a dissolution. Recourse might be had to such a measure when you have determined on the line you mean to adopt for relieving the Province from its present state of embarrassment. Coercion, abruptly adopted, might prove fatal, and such a step is therefore to be deprecated, nor can it be justified, except as a *dernier ressort* after all attempts of a constitutional character shall have failed; but liberality, I am sure, will not be lost sight of by the present Government in any course that may be taken, and whatever is arranged should, I think, be in its character, as far as circumstances will admit, conditional, and made to appear as an act of necessity, resorted to only to ward off the evils with which the country is oppressed and threatened.

P. S.—I shall send you, very soon, the names of those I think qualified for the two councils.

No. 4.

Earl of Gosford
to Lord Glenelg,
8 March 1837.

— No. 5. —

(No. 205.)

COPY of a DESPATCH from Lord *Glenelg* to the Earl of *Gosford*, dated
Downing-street, 29 April 1837.

My Lord,

I HAVE the honour to inform you that the Resolutions on the affairs of Lower Canada, a copy of which was transmitted to you in my Despatch of the 11th ult., have all been affirmed by The House of Commons after a very full discussion, and in those instances in which divisions took place, by large majorities. I enclose for your Lordship's information, extracts from the votes and proceedings of The House, containing a statement of the several divisions which have taken place on this subject since I last addressed you. The introduction of the Bill to be founded on their Resolutions must be postponed until after the opinion of The House of Lords shall have been taken on them; but I have every reason to anticipate that it will be submitted to Parliament within a very short period. So soon as the Resolutions shall have been disposed of by The House of Lords, I shall address to your Lordship full instructions on the steps which should be adopted under existing circumstances, especially with reference to the composition of both the Legislative and Executive Councils; I regret that, owing to the delay which has occurred in passing the Resolutions, arising in great measure from the pressure of public business, I have been compelled to withhold these instructions for a longer period than I anticipated, but your Lordship may rely on receiving them in ample time to enable you to prepare for the meeting of the Legislature; whether that meeting should be postponed until the time when the law will require that a Session should be held, or should be fixed for an earlier time, is a question which must depend to a certain degree on local circumstances, of which your Lordship will have the means of obtaining a far more accurate acquaintance than I can; I shall, however, distinctly advert to this point in connexion with the other matters on which I shall have to address your Lordship, and I only refer to it now that you may be aware that it will not be overlooked, and that your own attention may be directed to it in the mean time, with a view to the sound exercise of that discretion which it may probably be expedient to leave in your Lordship's hands with regard to it.

I have, &c.

(signed) *Glenelg*.

No. 5.

Lord Glenelg to
Earl of Gosford,
29 April 1837.

— No. 6. —

EXTRACT of a DESPATCH from Lord *Glenelg* to the Earl of *Gosford*,
dated Downing-street, 29 April 1837.

IN declining to act at once on the recommendations which you submitted in the course of last year for an extensive alteration in the composition of the two Councils, I trust I need not assure you that nothing was further from my intention than to imply the slightest disapprobation of the course which you had taken in transmitting to me those recommendations; on the contrary, I received them as an additional proof of the earnest desire which you have always evinced, to leave no constitutional means untried to effect an adjustment of the unhappy differences

No. 6.

Lord Glenelg to
Earl of Gosford,
29 April 1837.

No. 6.

Lord Glenelg to
Earl of Gosford,
29 April 1837.

which have so long agitated and distracted the Province. The sole ground of my postponing at that time a decision on those recommendations was, that his Majesty's Government were convinced that it was indispensable to consider the whole of the main questions in dispute at one and the same time, after they should have received from the Commissioners a full and final Report on the topics which had been referred to them. That time has now arrived, and you will have already been informed that it is our intention to advise his Majesty to make an addition to the Legislative Council, by a careful selection of men of property, character and influence in the Province, of liberal views, and entitled to the respect and confidence of the public, but not committed to the extreme opinions to which I am willing to hope, from your recent information, many who have hitherto countenanced them are not disposed pertinaciously to adhere. We are also fully prepared to sanction a reconstruction of the Executive Council. So soon as the Resolutions which have now been affirmed by large majorities of The House of Commons shall have been sanctioned by The House of Lords, I shall address to you full instructions as to the course which it will be expedient for you to adopt. In the mean time, I shall be most anxious to receive the list of names referred to in the postscript of your letter, and I trust that I shall then be enabled at a very early period to transmit to you the requisite authority for summoning such gentlemen to the Councils as, after mature consideration, shall appear fully qualified for this important trust. I need not here repeat the regret and reluctance with which the Government have felt themselves bound to propose to Parliament the adoption of a course which they would gladly have avoided, had any less objectionable means been within their reach of satisfying those claims, the urgency of which has been so forcibly and repeatedly pressed on us by the Commissioners. In yielding to the necessity thus imposed on us, we have not been insensible to the obligation which we fully admit of conceding to the Assembly whatever in their demands was not inconsistent with the integrity of the Empire and the good faith of the British Parliament. In the policy to be hereafter pursued, I trust that the errors of past times will be avoided, and that his Majesty's subjects of all classes in Lower Canada will recognize an earnest desire on the part of the Imperial Government to promote, by a just, liberal and impartial administration of public affairs, the welfare and prosperity of the Province, and to meet the deliberate wishes of the inhabitants to the fullest extent which is compatible with their relation to this country.

In the present unhappy state of feeling between contending parties, I need scarcely observe that great caution and circumspection must be requisite, in order to avoid the risk of widening existing differences and increasing heats and jealousies, which I am well aware it is your constant aim to mitigate and allay. I am fully alive to the responsibility which rests on you, and to the difficulties which must present themselves at so critical a moment, especially in the selection of individuals for offices of trust and confidence, but I am happy in being able to rely on the judgment and discretion which you have hitherto evinced.

—No. 7.—

(No. 210.)

COPY of a DESPATCH from Lord *Glenelg* to the Earl of *Gosford*, dated
Downing-street, 22 May 1837.

No. 7.

Lord Glenelg to
Earl of Gosford,
22 May 1837.

My Lord,

I HAVE the honour to inform you that the Resolutions on the affairs of Lower Canada, which you are already aware had been adopted by The House of Commons, having been subsequently communicated at a conference to The House of Peers, have been assented to by their Lordships without a division. In pursuance of those Resolutions, it is the intention of his Majesty's Government immediately to introduce into Parliament a Bill, which, in addition to the authority with which it is proposed to invest the Governor to discharge the arrears due for the various public services in the colony, will embrace such of the other topics comprised in the Resolutions as require a legislative sanction. In the meantime, and until you receive the direct sanction of an Act of Parliament, you will not consider yourself at liberty to depart from the ordinary course to be observed in the appropriation of any portion of the public revenue which has hitherto been subject to the control of the provincial legislature. The opinion, indeed, which has already been so clearly expressed by both Houses of the Imperial Parliament, as to the necessity of investing you with this authority, leaves no room for doubt as to the result of the proposal of the requisite enactment

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ment for this purpose ; but his Majesty's Government are still willing to hope that the exercise of the power to be intrusted to you may not be rendered unnecessary by the intervention of the provincial legislature. To avoid the necessity of violating one of the great principles of the Canadian constitution, we have been willing to make every sacrifice excepting that of the honour of the Crown and the integrity of the Empire ; and even now we are anxious that the experiment should be tried, whether yet a possibility remains of reconciling the assertion of those permanent interests with the maintenance of the principles of the Parliamentary Charter of 1791. The interval which must elapse before the proposed Bill can have passed both Houses of Parliament and have been transmitted to your Lordship, affords an opportunity, of which his Majesty's Government are happy to avail themselves, of inviting the House of Assembly to reconsider the course by which they have attempted to enforce their demands, after they shall have been made acquainted with the deliberate opinion of both Houses of Parliament on the several points at issue. I cannot but entertain the hope that this opinion, expressed in the most decisive manner, after full and protracted discussion, may not be without its due weight on the deliberations of the House of Assembly, and that they will feel that they are best consulting the interests committed to their care by receding from the extreme ground which they have recently taken, and by co-operating with his Majesty's Government and the Imperial Parliament in effecting those salutary improvements in the provincial government, and the working of the existing constitution, from which real and important benefits may accrue to all classes of his Majesty's subjects in Lower Canada. The King would not authorize your Lordship to submit to the Assembly any proposal derogatory from the high estimation which justly attaches to the representatives of the Canadian people ; but his Majesty is assured that no real dishonour or well-founded reproach would be incurred by the House if that which has been refused to the executive government, acting alone and unsupported by the British Parliament, should be conceded to the united voice of the imperial legislature.

In this hope, and resolved to omit no possible effort for reconciling these differences, his Majesty commands me to instruct your Lordship, on the receipt of this Despatch, to convene the provincial legislature for the earliest day at which it can be conveniently called together. It is, indeed, possible that circumstances with which I am unacquainted, but of which your Lordship will be in possession, may render a strict adherence to this injunction inexpedient. In that case a discretion will, of course, remain with you as to the precise period for which the legislature should be summoned. Any delay, however, not imperatively demanded by the force of such circumstances appears to me undesirable.

You will communicate to them, on their meeting, the proceedings which have taken place in Parliament, and the Resolutions which have been adopted on the affairs of Lower Canada ; you will express to them the deep regret and reluctance with which his Majesty's Government have yielded to the necessity of invoking the interference of Parliament, in order to meet the pressing difficulties which other resources had failed to remove in the administration of the affairs of the Province. You will further express to the House of Assembly the anxious hope that you may not be compelled to exercise the extreme power with which Parliament has declared its intention of investing you, in order to discharge the arrears due for public services in the colony, for the payment of which the faith of the Crown has been repeatedly pledged. You will inform them, that the chief object with which they are called together at present is, that before the Bill founded on the Resolutions shall reach Lower Canada, they may have an opportunity of rendering that part of it which rests on the 8th Resolution unnecessary and inoperative, by a grant of the supplies requisite for the purposes for which it is intended to provide. You will further express to them the earnest desire of his Majesty's Government to co-operate with them in the removal of every obstacle to the beneficial working of the existing constitution, and in the correction of every defect which time and experience have developed in the laws and institutions of the Province, or in the administration of its government. You will assure them of a prompt attention on the part of his Majesty's Government to every representation which may proceed from them tending to effect improvements of this nature, calculated to strengthen the connexion subsisting between this country and Lower Canada, by the promotion of the welfare and the interests of all classes of his Majesty's subjects in

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the colony. I trust, also, that you will be enabled to appeal to the alterations which may have been made in the composition of the council, as a proof of the sincerity with which his Majesty's Government are disposed to carry into effect the intentions which they have expressed on this head. With reference, however, to this particular branch of the subject, I must defer any more explicit observations until I shall have received from your Lordship the communication which you have given me reason to expect at an early period, and which, I trust, I shall receive in ample time to enable me to address you further respecting it before the meeting of the Legislature. There are other topics which will readily suggest themselves to your own mind as fit to be introduced into your communication to the Legislature on its meeting; and I may probably have occasion to refer to this subject in the interval which must elapse before the commencement of the session. I have, however, felt it my duty to give you this general outline of the nature of the speech with which I think it will be desirable that you should address them in his Majesty's name.

It may perhaps be necessary that I should also advert to three contingencies, for either of which your Lordship should be prepared: First. In pursuance of the Resolution with which they separated, the House of Assembly may refuse to meet in sufficient numbers for the transaction of business, or having met, to proceed to business, or they may resume their legislative duties in the same spirit of resistance which they formerly manifested. Secondly. The House may proceed to business without any avowed spirit of resistance, but their subsequent proceedings may afford convincing evidence of an intention to postpone to an indefinite or remote period a decision on the application which you will have submitted to them for payment of the arrears. Thirdly. The House may, at their meeting, give proof of a more conciliatory disposition, and may justify the hope that the continuance of the session will issue in the satisfactory adjustment of the questions in debate.

In the first or the second of these events, it will be alike your duty to proceed to a prorogation. Unfortunate as the necessity of adopting that measure may be, it is yet of light moment compared with that of appearing to fail in decision and fixedness of purpose in the present posture of affairs in Lower Canada. Your Lordship will pursue whatever course may seem best adapted to render it known to the parties more immediately concerned, that if this effort to obtain the co-operation of the Assembly shall fail, the powers with which you may be intrusted by Parliament will infallibly be brought into exercise.

If, on the other hand, the House shall meet in such a spirit as to justify the hope of a satisfactory termination of the questions in debate, and should, within a reasonable time, provide for the payment of the arrears, his Majesty's Government would most sincerely share in the satisfaction which I am convinced your Lordship would feel in the necessity having been happily removed for the adoption of that extreme and ultimate remedy which the Parliamentary Resolutions contemplate.

It is further necessary that your Lordship should be prepared to act decisively regarding the demand which the Assembly will, of course, renew for their contingent expenses, if they should proceed to the despatch of public business. Under ordinary circumstances, I should regard the admission of this demand as hardly capable of debate. But in the present posture of affairs, it must be admitted cautiously, and not without due reserve. I cannot admit that the Government would be justified, far less that it is bound to give its sanction to the unlimited issue of public funds for the contingencies of the House of Assembly, while that House refuses or fails to provide for any other of the ordinary civil expenditure of the Province. To any application of this nature, therefore, the answer should in substance be, an avowal of your willingness to issue a moderate sum for the immediate expenditure of the House. Further supplies for this purpose should only be issued from time to time, as the exigencies of the public service may demand. It would be right also to consider whether the House should not be required to render an account of the expenditure of the sums already issued for contingencies. There are not wanting motives, at once weighty and obvious, for checking any mismanagement of these funds; while, on the other hand, to withhold them, so as to impede the free exercise of the functions of the House of Assembly, would be at once useless and unjustifiable.

I have, &c.

(signed) *Glenelg.*

—No. 8.—

EXTRACT of a DESPATCH from the Earl of *Gosford* to Lord *Glenelg* dated
Castle St. Lewis, 18 April 1837.

I SEE no chance whatever of any serious commotion here in consequence of your proceedings ; however, you may rely on my taking every precaution. As to armed resistance, I see no ground for apprehending any thing of the kind. I shall act with all possible vigilance ; at the same time avoid all demonstration of alarm.

No. 8.

Earl of Gosford to
Lord Glenelg,
18 April 1837.

—No. 9.—

EXTRACT of a DESPATCH from the Earl of *Gosford* to Lord *Glenelg*, dated
Castle St. Lewis, 6 May 1837.

I SHALL retain your letter to Sir Colin Campbell, seeing no sort of necessity at present for augmenting the military force of this Province. I have communicated to Sir John Colborne my wish to have a regiment always stationed at Montreal ; but I have not the least expectation of any thing serious. If a dissolution of the present Parliament were to take place, there might be some broken heads, but nothing in the shape of general or combined commotion. I shall write to Sir Francis Head, and mention the military arrangements about to take place.

No. 9.

Earl of Gosford to
Lord Glenelg,
6 May 1837.

—No. 10.—

EXTRACT of a DESPATCH from Lord *Glenelg* to the Earl of *Gosford*, dated
Downing-street, 13 June 1837.

I EARNESTLY hope that nothing will occur to disappoint the expectation which you had formed of the undisturbed continuance of peace and good order in the Province.

I have not yet received the list of names which, in your letter of the 8th March, you led me shortly to expect ; but I trust that I shall very soon be in possession of all the information on this subject which is essential to enable me to address to you the definitive instructions which it is obviously important you should receive before the meeting of the Legislature. I much regret to inform you that the King has been seriously indisposed during the last week, and though I am happy to say there has been some improvement, I fear his health is in a state to occasion great anxiety. This circumstance has necessarily occasioned some delay in the introduction of the Bill relating to Lower Canada, and it is not in my power to state the precise period at which it will be submitted to Parliament ; but unless any circumstances should have induced you to differ from the opinion which I communicated to you in my Despatch of the 22d ultimo, as to the course to be adopted under existing circumstances in the Province, I am not aware that I could at present add any thing to the instructions contained in that Despatch.

No. 10.

Lord Glenelg to
Earl of Gosford,
13 June 1837.

—No. 11.—

(No. 225.)

COPY of a DESPATCH from Lord *Glenelg* to the Earl of *Gosford*, dated
Downing-street, 29 June 1837.

My Lord,

THE interruption occasioned to the progress of the public business of the present Session of Parliament by the melancholy event of the demise of his late Majesty, renders it necessary for me to address you without delay as to the course which it is proposed to adopt, with reference to existing affairs in Lower Canada. Her Majesty's Government feel, that in the prospect of an early dissolution of Parliament, it is impossible, consistently with a due regard to the

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public interest, to proceed during the present session with several important measures already under the consideration of Parliament, but still in an incomplete state; and no less so to introduce any new measure, the immediate necessity for which is not so urgent as to render even a temporary postponement impracticable. Under these circumstances, it has been determined not to submit to Parliament during the present Session the Bill to which I referred in my despatch of the 22d ultimo, and which was to have been founded on the resolutions of both Houses of Parliament on the affairs of Lower Canada. While postponing measures of great public interest and importance connected with the affairs of this country, Her Majesty's Government cannot but think that it would be inadvisable to adopt a different course with regard to a measure affecting the privileges of the Legislature of Lower Canada. Much as they have always lamented the necessity of adopting such a measure under any circumstances, they would at the present moment feel a peculiar reluctance in resorting to it, as they would deeply regret that one of the first legislative acts of the reign of Her most gracious Majesty should carry even the semblance of an ungracious spirit towards the representatives of Her Majesty's loyal and faithful subjects in that province. At the same time, Her Majesty's Government have not overlooked the necessity of making immediate provision for the discharge of the arrears due for public services in the colony; and with this view they have resolved to propose to The House of Commons, that a vote of credit should be passed for the advance, by way of loan, from the funds of this country, of the sum required for the payment of the arrears. An estimate for this purpose has been already laid on the table of the House, and I have every reason to anticipate that it will be readily sanctioned by Parliament. I shall take the earliest opportunity of informing you of the decision of The House of Commons, which will probably be obtained on Friday the 30th inst., that being the next day on which the Committee of Supply will set. In the event of the vote being acceded to, I shall have to address to you further instructions with reference to the appropriation of the money to the purposes for which it is required. In the mean time, I will only express my earnest hope that the House of Assembly may recognize, in the course recommended by Her Majesty's Government, a sincere desire to abstain from any interference with their rights and privileges which is not imperatively demanded by the force of existing circumstances, and that the result of the approaching session of the Provincial Legislature may be such as to relieve Her Majesty's Government from the necessity of submitting to Parliament in a future session any enactment founded on the eighth of the series of resolutions which have been agreed to by Parliament.

It will afford Her Majesty the most sincere satisfaction if the commencement of her reign should be marked by the restoration of that confidence and goodwill between the House of Assembly in Lower Canada and the Executive Government, the existence of which is so essential to the prosperity of the Province.

I have, &c.

(signed) *Glenelg.*

— No. 12.—

(No. 239.)

COPY of a DESPATCH from Lord *Glenelg* to the Earl of *Gosford*, dated
Downing-street, 14 July 1837.

No. 12.

Lord Glenelg to
Earl of Gosford,
14 July 1837.

My Lord,

I HAVE recently had under my consideration that portion of the General Report of the Canada Commissioners which relates to the Court of Escheats in Lower Canada, and in which the propriety of calling that Court into operation is discussed at some length. After attentively weighing the arguments adduced on this subject, both in the report and in the letter from Mr. Cochran, I cannot hesitate to express my concurrence in the views adopted by your Lordship and your colleagues. I have therefore to desire that you will take steps for abolishing the office of Commissioner of Escheats, by revoking the letters patent under which Mr. Cochran was appointed.

It is not without regret that I adopt a measure which, in a pecuniary point of view, will be seriously prejudicial to Mr. Cochran. The high testimony which

has

has been borne to his talents and integrity, both by your Lordship's predecessors and by the commissioners collectively, and the important and responsible offices which he has at different times held under the Crown, entitle him to every consideration from Her Majesty's Government. It would therefore be with much satisfaction that I should find it in my power to submit his name to The Queen for an appointment in Her Majesty's service.

I have, &c.

(signed) *Glenelg.*

No. 12.

Lord Glenelg to
Earl of Gosford,
14 July 1837.

— No. 13. —

(No. 240.)

COPY of a DESPATCH from Lord *Glenelg* to the Earl of *Gosford*, dated
Downing-street, 14 July 1837.

My Lord,

THE delay which has occurred in acting on the Third Report of the Commissioners of Inquiry in Lower Canada has not been occasioned by any serious doubt respecting the wisdom of the suggestions which they have there made for improving the constitution of the Executive Council of that province.

The selection of the candidates best qualified for seats at that board has formed the real and almost the only difficulty. Your Lordship is aware of the circumstances which have prevented our hitherto reaching a satisfactory conclusion as to the choice to be made; and it would be superfluous to make any more particular reference to them in this place. The result, however, is, that I am still unable to submit to The Queen a list of new executive councillors.

I feel, however, that it is impossible to acquiesce in further delay. I have therefore humbly advised The Queen to delegate to your Lordship the duty of making the necessary appointments at once, without any further reference to Her Majesty's Government on the subject; and I have accordingly received Her Majesty's commands to convey to you her authority for immediately issuing commissions to any nine gentlemen to be of Her Majesty's Executive Council in Lower Canada, whom your Lordship shall consider best deserving of that trust. I need scarcely add, that until those appointments shall have received Her Majesty's final confirmation, they must be regarded as provisional only.

It would have been very satisfactory to me to have been able to submit to The Queen warrants for Her Majesty's signature, appointing the proposed new councillors by name. In that case they would have entered at once on the judicial as well as the administrative duties of the office. It is still more important to remark that such nominations would have enabled The Queen to relieve the existing executive councillors from duties which I have reason to know have, in some cases, become onerous and irksome to them, while such members of the present board as have at once a just claim and a wish to remain of the executive council might have been reappointed. The entire body would thus at once have acquired a new composition and character. The necessity of leaving a sufficient number of members competent to act judicially, forbids the immediate adoption of this measure; but it should be clearly understood by the whole council, that it is intended to dissolve and to re-constitute the board so soon as it shall be possible to lay before The Queen the names of the future members.

In proceeding to execute the duty of selecting for immediate and provisional appointments nine new councillors, your Lordship will be guided by the principles laid down in the Third Report of the Commissioners of Inquiry. On mature reflection, Her Majesty's Government are convinced of the foresight and wisdom by which the advice of the Commissioners on this subject has been dictated; and without affecting to substitute any language of my own for theirs, I will, to prevent misapprehension, transcribe, although at the expense of a very long quotation, the precise passages of the Report to which it is Her Majesty's intention that effect should be given. They are as follows:

1. "We are of opinion that, although not liable to be changed at the will of the Assembly, the Executive Council should be so composed as to secure as much as possible of the confidence of the people.

2. "The earliest complaint which was made related, as we have already said, to the too great connexion alleged to subsist between the two councils. On this point the Governor-in-chief has pronounced his intention to act upon the principle, that it is neither right nor consistent with the wholesome

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separation and independence of the principal bodies of the Government, that out of the limited number of executive councillors in this province, several should hold offices under the Legislative Council and House of Assembly. The adoption of this maxim will, we presume, go to the extent of what is wished in the province; for we do not suppose that any party would desire to render a seat in either of the legislative bodies incompatible with the office of Executive Councillor.

3. "Our own opinion is, that although the holding of office under the Crown ought not to be a disqualification, yet the number of office-holders in the council should never be considerable, probably not more than on an average one in four. We should further say, that there are some functionaries whose duties are such as to render it inexpedient to place them in the executive council, such for instance as the Civil Secretary of the Governor and the Attorney-general. The close connexion of the Civil Secretary with the Governor appears to us to furnish obvious reasons against his belonging to the council; and with respect to the Attorney-general, as he is, in the matter of public prosecutions and in other duties, in some degree the servant of the council, it would be somewhat incongruous that he should sit in it also.

4. "We recommend that it should never consist of a greater number than fifteen, nor (for any period exceeding six consecutive months) of less than nine. It seems prudent that this interval of six months should be allowed, to obviate any difficulties which might be experienced in filling up the council on the occasion of any change of its members.

5. "We would advise that the councillors should be appointed in the name of his Majesty by the Governor, under the great seal of the province, and enter at once into all the rights of their office, but subject to confirmation or disallowance by his Majesty within a limited time, say one year.

6. "For reasons before-mentioned, we think there should be no exclusion of persons holding office under Government, but that in practice it would probably be expedient that the number of that description should not exceed one-fourth of the whole council.

7. "We further submit, that amongst the members of council there should be no distinction as to powers, functions or form of appointment, excepting that members holding paid offices under Government should not receive salary as councillors.

8. "We consider it desirable that the remainder of the councillors should be paid equally not less than the present amount of 100*l.* per annum; and that it should be proposed to the Assembly to provide for this in any permanent grant hereafter to be made by them; but should the Assembly object to the payment of an increased number of executive councillors, we scarcely think these salaries should be made an indispensable condition in any proposal that may be submitted to them on the basis of our first Report. If all cannot be paid, the junior members might be required to serve without salary, in like manner as the office-holders.

9. "We would suggest, although of course no imperative rule can be laid down upon the subject, that in the Executive Council there should be at least one, and not more than three legislative councillors; at least two, and not more than five members of the Assembly; some gentlemen belonging to the class of landed proprietors, and others connected with commerce; one individual at the least of the legal profession; and that of the persons chosen for the council, it should be endeavoured to take a moderate proportion from different districts of the province, though it will be necessary that a number sufficient to ensure at all times a quorum should be resident at or near the seat of government.

10. "We think that the appointment of the councillors should not be made to last during good behaviour, nor require for its termination the assignment of any fault, but that the Governor should be able to remove them whenever on general grounds he might deem it advisable, reporting his reasons without delay to the Secretary of State.

11. "We would propose the following to be amongst the rules of the council:—That during the presence of the Governor at the seat of government, there should be stated days, not less than two in each month, on which the council shall assemble without a summons.

12. "That

12. "That it may be assembled by the Governor, by special summons, as often, and at such places, as he may think fit.

13. "That at each meeting of the council every member shall be entitled to attend; and that in the issuing of summonses no limitation shall be established, save that rendered necessary by distance or difficulty of communication.

14. "That five shall be a quorum.

15. "That upon the internal affairs of the Province each member of the council shall have the right of suggesting measures, or tendering advice, whether or not upon subjects introduced by the Governor; but that no measures affecting the relations of the Province with the Empire shall be discussed, unless they are brought forward by the Governor.

16. "That the Governor have the power of adjourning any question or subject of discussion, the fact of his doing so being noted on the proceedings.

17. "That the Governor have the power of acting in opposition to the majority of the council; but that when he adopts that determination, he shall enter it on the minutes, assigning his reasons or not, as he may prefer.

18. "That the members of the council have the privilege of recording their dissent on the council books, with or without their reasons, as they may prefer.

19. "That no meeting of council shall be competent to act as such, without the presence of the Governor; but that he shall have the power, as now, to refer business to it as to a committee in his absence, nothing done in that mode taking the form of a proceeding of council, until ratified when the Governor is present.

20. "That the foregoing rule shall be so far qualified in the Governor's absence from the seat of government as to authorize him to ratify, by letter or by any other mode that may be appointed for the purpose, any proceedings of council which could not without injury to the public service be delayed.

21. "That whatever number of members of either branch of the legislature may be included in the executive council, all communications to the Provincial Parliament shall continue to be made, as now, by message.

22. "That no oath of secrecy shall be taken, and that the members of the executive council shall not be considered solemnly bound to secrecy, except on occasions when the Governor may summon them expressly to form a council of secrecy, or resolve any meeting into such a council.

23. "That before any recommendation of an appointment to the legislative council be sent to the Secretary of State, the Governor shall acquaint the executive council with it, and receive any observations they may make upon it; which observations, whether made collectively by the council, or individually by any member or members of it, shall be transmitted to England at the same time with the recommendation of the Governor.

24. "We apprehend that the council must for the present remain charged with the duty of auditing accounts, as the erection of any other board of audit, or the creation of an auditor-general, is properly a subject for the consideration of the legislature.

25. "There can be no hesitation in pronouncing the appellate jurisdiction entirely unsuited to the executive council, and full of objection. We think it far preferable that his Majesty should be empowered to assent to any Act which may hereafter be passed in the province, than that the British Parliament should itself enact a new law on the mode of determining appeals in Canada."

Subscribing, in general, to the justice of each of the preceding recommendations, Her Majesty's Government are of course aware that, of the changes which are thus recommended, there are some which it is not within the limits of the Royal prerogative to introduce and establish. For some of them the sanction of Parliament may be required, and there are others which it must rest with the council itself to adopt, to qualify or to reject; and even with regard to such of the suggestions as are within the constitutional authority of the Crown, there may be questions of some difficulty as to the instruments and forms by which that authority should be exercised.

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I have, therefore, to convey to your Lordship Her Majesty's commands, that you do give effect to such parts of the suggestions of the Commissioners of Inquiry already quoted, as in the exercise of Her Majesty's delegated prerogative it may be competent for you to carry into execution, and that you avail yourself of the earliest opportunity of bringing under the consideration of the council, after the new appointments shall have been made, the question, by what authority and by what instruments can effect be most conveniently given to such of those suggestions as it is beyond the competency of your Lordship, as Governor of the Province, to carry into execution.

I have, &c.

(signed) *Glenelg.*

— No. 14. —

No. 14.
Lord Glenelg to
Earl of Gosford,
14 July 1837.

(No. 241.)

COPY of a DESPATCH from Lord *Glenelg* to the Earl of *Gosford*, dated Downing-street, 14 July 1837.

My Lord,

IN my Despatch of the 27th May, No. 210, I conveyed to your Lordship his late Majesty's instructions to convene the legislature of Lower Canada for the earliest day at which it could conveniently be called together, and on their meeting, your Lordship was instructed to communicate to the House of Assembly the proceedings which had taken place in Parliament, to assure them of the deep reluctance with which the Government had yielded to the necessity of invoking the interference of the Imperial Legislature, to inform them that the chief object of their being thus convened was to afford them an opportunity of rendering inoperative so much of the proposed Act of Parliament as would rest on the eighth resolution, by voting the funds necessary for the payment of the arrears due to the civil servants of the Crown, and to express the hope that you would thus be enabled to avoid the exercise of the extreme power with which it was the avowed purpose of Parliament to invest you.

In my Despatch of the 29th June, No. 225, I apprized your Lordship that in consequence of the demise of the Crown, and of the approaching dissolution of Parliament, it had been resolved to propose to The House of Commons a vote of credit for the advance, by way of loan, out of the funds of this country, of a sum of money adequate to the payment of the arrears due to Her Majesty's civil servants in Lower Canada.

I have now to announce to your Lordship, that on the 3d instant The House of Commons resolved, that a sum of 142,160 *l.* 14*s.* 4*d.* should be placed at Her Majesty's disposal for this purpose; and that vote having been incorporated into the Appropriation Act, has acquired the force of law.

My instructions of the 22d May have, therefore, to a considerable extent ceased to be applicable to this new and altered state of the question. As it is not now proposed immediately, and in the first instance, to draw the funds from the Provincial Treasury, the motives which dictated even an extreme forbearance in the use of the resources placed by Parliament at your Lordship's disposal have lost some of their original force. Further, as the money necessary for the payment of the debt is now available for that purpose, the motives for proceeding at once to satisfy the demands of the public creditors have acquired some additional strength. It might, therefore, seem that nothing further remained for me than to instruct your Lordship forthwith to draw upon the Lords of the Treasury for the amount of the Parliamentary vote.

At this distance from the scene of action, and under circumstances so new and peculiar, I am, however, unwilling to lay upon your Lordship any inflexible injunction, which in some possible contingencies you might find it imprudent to follow, and hazardous to disregard.

The present is an occasion on which I cannot withhold from Her Majesty's local representative some latitude of discussion, or relieve your Lordship from the responsibility attendant on the exercise of a discretionary power.

It is possible that when this Despatch shall reach Lower Canada, the provincial legislature may, in consequence of my Despatch of the 22d May, have been summoned, and be on the eve of their meeting, or that they may be actually in session. Without too far indulging hopes, resting, as I must confess, on no very

very definite ground, I yet cannot altogether despair that the Assembly, or that some considerable portion of that House, may be disposed to abandon the course which they have so long pursued. If your Lordship should perceive any satisfactory reasons for such an anticipation, it might be wise to await for a short time the fulfilment of that prospect, even at the expense of leaving the demands of the public creditors for some short time longer unsettled.

Again, it is possible that, in the excitement which unhappily prevails, the Assembly may resort to measures of hostility which it will be indispensable to encounter with firmness, promptitude and decision. In any such emergency, it would be your Lordship's duty at once to proceed to liquidate the debts due to all his late Majesty's civil servants, by bills to be drawn upon the Lords of the Treasury for that purpose.

The time has passed away in which it was right to pause and to deliberate, and if no reasonable hope should present itself of an amicable close of this protracted discussion, it could not be too soon terminated by acting at once upon the Parliamentary vote. I have therefore to convey to your Lordship the authority of Her Majesty's Government, either to draw on the Lords of the Treasury immediately for the sum voted by Parliament, or to defer that measure, if for some brief interval. But it is only a very short postponement which I can, in any case or under any circumstances, sanction. The course on which Her Majesty's Government have most reluctantly entered has been taken under the influence of no light or ordinary motives. To retreat from it, even were retreat now practicable, would be inconsistent with their most deliberate sense of public duty. Deprecating, therefore, every appearance of vacillation where no doubt really exists, it is not without regret that I now convey to your Lordship instructions which contemplate even the possibility of further delay. You will, however, I am convinced, receive and act upon them in the spirit in which they are written, neither blighting any real promise of conciliation by undue haste, nor encouraging the disaffected by any appearance of alarm and hesitation. Either by a grant from the local legislature, or by drafts on the Lords of the Treasury, the payment of the public servants of the Crown in Lower Canada must be effected within a short time after my present Despatch shall have reached your Lordship's hands.

I have, &c.

(signed) *Glenelg.*

—No. 15.—

(No. 242.)

COPY of a DESPATCH from Lord *Glenelg* to the Earl of *Gosford*, dated
Downing-street, 14 July 1837.

My Lord,

IN my Despatch of this date, No. 241, I have authorized your Lordship to draw upon the Lords Commissioners of the Treasury for the amount of the Parliamentary grant for Her Majesty's service in Lower Canada, and I have also adverted to the possibility of avoiding this measure by a conciliatory adjustment with the House of Assembly. However faint that prospect may be, it is yet necessary that your Lordship should be prepared to encounter a difficulty which might present itself in carrying any arrangement of that nature into effect.

In your Lordship's Despatch of the 23d January, you have calculated at the sum of 142,160*l.* 14*s.* 4*d.* the debt which on the 1st of April 1837 would be due to the civil servants of the Crown in Lower Canada. That calculation has been assumed as the basis of the Parliamentary vote. If your Lordship should be compelled to draw on the Lords Commissioners of the Treasury for the sum so granted by Parliament, your drafts will, of course, precisely correspond in amount with the vote, and will be applied in liquidation of all the demands which form the component parts of the general estimate.

Amongst these items may be particularly noticed the sum drawn from the military chest in 1834, which must of course be repaid to the commissariat. The demands of Lord Aylmer, of Colonel Craig, of Mr. Buchanan, the agent for emigration, and of Mr. Amyott, will be liquidated in this country by the Lords of the Treasury, and the portions of the Parliamentary grant due to those persons you will have to repay into the military chest. I collect from your

Lordship's

No. 15.
Lord Glenelg to
Earl of Gosford,
14 July 1837.

Lordship's Despatch of 23d April 1836, that Mr. Buchanan's salary has been paid in full up to the 30th of September 1835. The sum to be issued to him by the Lords of the Treasury will therefore be 300*l.*, being the estimated amount of Mr. Buchanan's half salary from 30th September 1835 to the 1st April 1837. The remaining part of that salary will be payable to the gentleman who has officiated for him, to whom also must be paid the sums due for the contingent expenses of the office. Finally, there are some services included among the items which compose the amount of the sum voted by Parliament, to which the Assembly have been accustomed to object, on grounds entirely distinct from those on which their general refusal of supplies proceeded. The Crown is, however, plainly responsible for the payment of these services, as for the others comprised in the same estimate; and in the contingency of your Lordship's availing yourself of the Parliamentary vote at all, there will be no reason for making any distinction unfavourable to this class of claimants.

On the other hand, if the House of Assembly should manifest a conciliatory temper, and should be disposed to vote the supplies, excluding only the debatable items, your Lordship will not on that account refuse to accept the terms which they may offer. In such a contingency, the services in question must be provided for from any balance of hereditary and territorial revenue which may be at your Lordship's disposal. Anxious as I am to avoid any encroachment on that fund, yet for such a purpose it would be wisely and advantageously made.

Reverting, however, to the far more probable supposition, that your Lordship will be compelled to avail yourself of the Parliamentary grant, and to the necessity which would then arise of introducing in the next session of Parliament a Bill to authorize the repayment of the advance from the funds of the Province, it will be necessary that Her Majesty's Government should be able to distinguish precisely, how far the Parliamentary vote has been applied in the liquidation of charges previously sanctioned by the Assembly in principle and precedent, and of charges to which no such sanction has been given. This distinction will be important, as it may perhaps be necessary to reduce, by the amount of the controverted items, the demand to be hereafter enforced against the provincial treasury. At present I cannot make that distinction with entire confidence in my own accuracy, but only with an uncertain and, perhaps, an imperfect approach to the truth.

I have, &c.

(signed) *Glenelg.*

—No. 16.—

COPY of a DESPATCH from the Earl of *Gosford* to Lord *Glenelg*,
dated Castle St. Lewis, 25 May 1837.

No. 16.
Earl of Gosford to
Lord Glenelg,
25 May 1837.

My Lord,

THE very violent party, who were alone active in calling a meeting of the county of Richelieu, on the 7th instant, to express their indignation at Lord John Russell's Resolutions, feel much disappointed from the numbers and respectability of the assembly falling so very far short of their expectations. I send you a copy of the Resolutions, and it is unnecessary for me to occupy your time in commenting upon them, as they will speak for themselves. I may, however, state, from authority which I have no reason to doubt, that Mr. D'Eschambant, a seigneur of the county, who is reported in the newspapers of that party to have moved the second resolution, was not present at the meeting, being confined at the time by illness; and that the 10th resolution, for raising a tribute for Mr. Papineau, though reported by the same organs to have passed unanimously, was not even proposed at the meeting. Another meeting of the county of Montreal, and called by the same parties, took place on the 15th instant, at St. Laurent, which was attended by Mr. Papineau, who made a long speech in his usual violent strain, and full of misrepresentations; I also enclose a copy of the resolutions there passed. In order to give your Lordship some idea of the feelings generally prevalent, as regards the political views and objects of the principal actors in these proceedings, I must remark that these meetings were held, one on a Sunday at the church-door, after divine service, and the other on a fête day, for the purpose of swelling the number of auditors, by including

including those who were drawn there for the performance of their religious duties; even with this assistance, the numbers at the meeting of the county of Richelieu, including men, women and children, fell very far short, I am informed, of the statement in "The Vindicator," viz. "upwards of 1,200 freeholders;" and the number at St. Laurent assembly, stated on the same authority to exceed 700, did not, from the accounts I have received from various quarters, exceed, including all descriptions of persons, 300 individuals; which is the more remarkable, from the meeting being held in the most populous county, and within a few miles of the city of Montreal; and I understand that Mr. La Fontaine, M. P. P. for Terrebonne, one of the most ultra of the party, who was to have addressed the meeting, declined from the paucity of hearers. Some other meetings have been held in different parts of the country which have proved failures, and others are in contemplation, which I have no doubt will share the same fate. All this tends to confirm me in the opinion I gave in a former letter, as to the probability of a change in public opinion, and that the Canadians were beginning to discover the real views of the ultras. I must, however, here observe, that the feeling against the Imperial Parliament, authorizing the taking of the money out of the chest, is very strong, and even those who reprobate the withholding of the supplies by the Assembly cannot refrain from an expression of disapprobation at this part of Lord John Russell's Resolutions. I cannot contemplate the present posture of affairs without considering how far it may be desirable, should the sentiment of distrust against the Papineau party, to which I have alluded, become more marked and decided, to dissolve the Parliament; and, indeed, my present impression inclines me to a dissolution; for a new Parliament would, I conceive, possess materials much more likely than the existing one, to appreciate any measures you might adopt for meeting the difficulties under which the Province is now labouring; and should such measures be of a conditional nature, that is, to be enforced in the event of a continued refusal on the part of the Assembly to permit the government to go on, it would have a still greater chance of acceptance, and thus the more obnoxious course of applying the money without the consent of the representatives here might become unnecessary. If, in addition to this, the Legislative Council should be at the same time liberalized, and an efficient executive council established, matters might get on smoothly. You may know of difficulties and impediments to this plan, of which I cannot see the force. Nothing is more erroneous, in my opinion, than the supposition that the French Canadians are a disloyal body. I have every reason to believe the contrary; I have not the slightest apprehension of any serious commotion coming out of these meetings, which, as far as regards the district of Montreal, are planned and concocted, and the resolutions framed by the same individuals, few in number, who it is understood are desirous of substituting a republican for the existing form of government.

I have, &c.

(signed) Gosford.

Enclosure 1, in No. 16.

MEETING of the County of *Montreal*.

On motion of Mr. Pascal Persillier Lachapelle, of Cote des Neiges, seconded by Mr. Joseph Binet, of St. Genevieve:

Resolved, 1. That the Resolutions submitted by Lord John Russell in the House of Commons, on the 6th of March last, in the name of the British ministry, destroy, *de facto*, the rights and liberties of the people of this province—rights and liberties which we regard as birthrights of the British subject, solemnly proclaimed by the Declaratory Act of the 18th Geo. 3.; that this violation is the more particularly odious, inasmuch as it is accompanied by the acknowledgment of the justice of the complaints of the country, as far as regards the vicious constitution of the Legislative Council, one of the principal causes which obliged the representation of this colony to refuse supplies, in order to obtain the redress of that grievance whence proceed all the abuses which oppress this province.

CORRESPONDENCE RELATIVE TO THE

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No. 16.
Earl of Gosford to
Lord Glenelg,
25 May 1837.
Encl. 1, in No. 16.

On motion of André Jobin, Esq., M. P. P., seconded by C. S. Cherrier, Esq., M. P. P. :

Resolved, 2. That the people of this province had reason to expect, by the recall of the late Governor-in-chief, that his successor would pursue a more just, more liberal, and franker policy ; that they have been disappointed in that expectation by perceiving that the old system of deception and of intrigue accompanies all the acts of the present administration ; that all that is unjust and atrocious in the plan of coercion, projected by the British ministry, is the suggestion of the present Governor and of his associates, who, representing themselves as missionaries of peace and conciliation, have employed that means only the better to deceive, and who, at the very moment that they were making promises of extensive reforms, were soliciting the interference of the Imperial Parliament, in order that it might have recourse to force to rob us of our rights.

On motion of Captain Stanislaus David, of Sault au Recollet, seconded by Mr. Frans. Tavernier, of Montreal :

Resolved, 3. That when we demanded the intervention of the Imperial Parliament for the good government of this province, we did so in explaining the manner in which it should grant us the reforms prayed for by the great majority of the people of this country ; that it is not in accordance with European views, or the recommendations of individuals, strangers to the country and its social state, that our political institutions ought to be changed, but only in accordance with our own wishes and recommendations expressed by our freely chosen representatives, who alone are competent to know the wants which they participate in common with us, and to reform those institutions, the direful effects of which they feel as well as we ; that we repudiate beforehand the feeble palliatives which it is pretended to apply to the evils whose source is left untouched ; and that we persist in demanding, by the extension of the elective system, institutions analogous to those of the former New England colonies, as the only ones which are suitable to our state of society ; which can alone put an end, in Canada, to those odious national distinctions which we abhor, and serve as a basis for good government therein.

On motion of Mr. Joseph Labelle, of Pointe Claire, seconded by Mr. Francis Quenneville, of St. Laurent :

Resolved, 4. That the treacherous policy pursued by Archibald Earl of Gosford, conjoined with the tyrannical measures proposed by the ministers, and supported by a majority in the House of Commons, deprive colonists of all hope of receiving justice from the metropolitan authorities, until men of more just and liberal principles shall have the direction of the Councils of State ; that consequently, we beseech our representatives, our fellow-citizens in the other counties of the province, our brother colonists of the neighbouring provinces, not to follow any longer the degrading routine of seeking from the King, the Lords, and their vassals in the House of Commons, that justice which we expected at their hands only when we know them not.

On motion of Dr. Valois, J. P., of Pointe Claire, seconded by Mr. Ludger Duvernay, of Montreal :

Resolved, 5. That under existing circumstances it is urgently necessary to have recourse, in the first instance, to some means of draining the source of that revenue of which it is the object of the ministerial measures to rob us, in order to paralyse the attack aimed against our rights and liberties.

On motion of Mr. Urbain Desrochers, of Pointe aux Trembles, seconded by Mr. Remi Le Cavalier :

Resolved, 6. That the revenue which our oppressors propose unconstitutionally to seize, is raised principally from rum, brandy, wine, tea, sugar and tobacco, regularly imported and paying import duties at the Custom-houses ; that public and private happiness would be most beneficially promoted by the total abstinence from wines and spirituous liquors, and that we strongly recommend such abstinence to our fellow-citizens ; that we recommend, in the next place, those who do not subscribe to total abstinence from these articles, to make use only of such as will be manufactured in the country ; and in the third place, as regards such articles as cannot be raised or manufactured in the country, to use those only that shall be smuggled from the United States.

On motion of Capt. J. Bte. Cadieux, of Pointe aux Trembles, seconded by Mr. Francis Malo, of the same place :

Resolved, 7. That another large portion of the provincial revenue is raised from a duty of two-and-a-half per cent. on merchandize manufactured in the United Kingdom of Great Britain and Ireland, paid on their entry at the ports of this province, and that a large portion of this description of goods, especially linens, woollens and cottons, may be fabricated in this country, or imported from the United States ; that we pledge ourselves,

ourselves, and recommend our fellow-citizens to use the latter in preference, especially when they are aware that such articles shall be manufactured in this province or smuggled; that we will encourage particularly the establishment of manufactures in this province, and regard as well-deserving of the country those who establish or encourage the said manufactures; that we do not adopt these measures through hatred of the English people, whom we respect and thank for the sympathy which they manifest for their oppressed Canadian brethren, but through hatred of those injustices which their aristocracy, Whig and Tory, commits against us, and to interest them to break the iron sceptre of their and our oppressors.

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On motion of Mr. P. P. Lachapelle, jun., of Lachine, seconded by Mr. Joseph Cardinal, of Cote des Neiges :

Resolved, 8. That whilst we have nothing to expect from the other side of the Atlantic but injustice, we may alleviate it, and perhaps render it entirely innocuous, by cultivating frequent and friendly communications with our happy and industrious neighbours of the United States of America :—that nothing can better advance the prosperity of the country than the extension of our trade with them; and that the petition wisely adopted by the reformers of Upper Canada, at a recent date, be proposed for the general acceptance of the people of this province, to be presented to the Congress of the free and happy United States of America at its next session.

On motion of Capt. Dubreuil, of Pointe aux Trembles, seconded by Capt. Joseph Monarque, of Rivière des Prairies :

Resolved, 9. That in case the unconstitutional measures proposed by ministers be adopted, this meeting hopes that the representation of the country will never degrade itself to such a degree as to sanction such usurpations, by voting supplies, so long as justice will be refused to the country.

On motion of Mr. Joshua Bell, of Montreal, seconded by Mr. Simon Valois :

Resolved, 10. That the most lively gratitude of the inhabitants of all the British Colonies is due, and the most sincere thanks of this meeting is tendered, to the eloquent and virtuous minority, which truly proved, in the House of Commons, that their love of justice embraced the empire in all its extent, and caused it to respect the rights of man in general, and those of the British Colonies in particular; that we seize this opportunity to express our thanks equally to the working men of London, and the other English reformers, who have raised their voices in favour of an oppressed colony, and who have perceived that to trample our rights and liberties under foot, was to establish a dangerous precedent, and pretext for an attack on the rights and liberties of the English people also; that we are highly sensible of their sympathy, which we duly appreciate, as well as that of our brother reformers of Toronto, who have also protested against the violation of our common rights.

On motion of Joseph Antoine Gagnon, Esq., J. P., seconded by Mr. Fleury St. Jean :

Resolved, 11. That we applaud the efforts of our brother colonists and reformers of Nova-Scotia, whose representatives have recently demanded the introduction of the elective principle into the council forming part of their legislature, a government responsible to the Commons of the Colony, and the control by the people over all the public revenues, together with other reforms for the general good; that these demands and complaints have for their source the same evil system of government which has for a long time called forth the similar complaints on our part; that we are ready to second the efforts of the reformers of Nova-Scotia, and to co-operate with them.

On motion of Mr. Joseph Letourneux, of the Tanneries, seconded by Mr. Francis Leonard :

Resolved, 12. That in the present critical state of colonial liberty, it is of primary necessity that the people of this province make further arrangements for the protection of their constitutional rights, and, with that view, we recommend our brother reformers to elect delegates to a General Convention (of which the members of the Legislative Council and of the House of Assembly, approving of and countenancing the anti-coercion county meetings now in progress, shall be ex-officio members) to be held, in the course of the summer, at some central and convenient place. That the said convention might in our opinion, in addition to the ex-officio members aforesaid, be formed of delegates from the several counties, cities and boroughs, in the proportion of twice the number of representatives elected by them to the House of Assembly; and that Messrs. Dr. Valois, E. R. Fabre, George Watson, Louis Roy Portelance, Thomas M'Naughton, Urbain Desrochers, P. P. Lachapelle, Stanislaus David, John Dillon, J. Bell, Joseph Ant. Gagnon and Joseph Letourneux, be and they are hereby elected to represent the City and County of Montreal in the said General Convention.

On motion of Mr. John Dillon, of Long Point, seconded by Mr. Louis Verdon, of St. Laurent :

Resolved, 13. That a permanent committee, which shall have power to add to its number, be now named to watch over the political interests of this country; to correspond

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spond on our part with the other counties throughout this and the sister provinces; to adopt such measures as to them may seem, from time to time, necessary to protect our rights, and advance the cause of good government within these colonies; and to carry into execution, as far as will be within their power, the various recommendations, suggestions and determinations agreed to by this meeting.

Enclosure 2, in No. 16.

MEETING of the County of *Richelieu*.

Encl. 2, in No. 16.

On motion of Dr. W. Nelson, seconded by Mr. J. B. Auger:

1. Resolved, That we have seen with feelings of the most lively indignation, the Resolutions proposed for adoption in the House of Commons on the 6th March—Resolutions, the necessary effect of which will be to destroy, henceforward, all security for freedom and good government within this province.

On motion of L. F. Deschambault, Esq., seconded by Captain Jalbert:

2. Resolved, That the adoption of the said Resolutions is a flagrant violation, on the part of the House of Commons, and of the Government which proposed them, of the capitulation, treaties and constitutional acts granted to this country; that these acts and treaties, requiring reciprocal obligations—on our part love and obedience, and on the part of Great Britain, protection and security for our liberty—become virtually annihilated by the violation of its promises by one of the contracting parties.

On motion of Ol. Chamard, Esq., seconded by J. B. Mignault, Esq.:

3. Resolved, That under these circumstances, we could no longer look on the Government which would have recourse to injustice, violence, and a violation of the social contract, except as an oppressive power—a Government of force—the extent of our submission to which must henceforth depend on our numerical strength, united with the sympathy which we shall experience elsewhere.

On motion of H. Moger, Esq., seconded by Mr. Al. Marchesseau:

4. Resolved, That the Machiavelian policy which has accompanied all the acts of the Government since the cession of the country; the bad faith which has characterized them up to the present time; the imbecility apparent in every page of the Commissioners' Reports, and in the speeches of the King's ministers, who do not blush to allege our division and our small number as motives for refusing us justice, inspire us only with the deepest disgust and the most sovereign contempt for men who rule over one of the greatest, the noblest people on earth, and for those who support such a Government.

On motion of J. B. Durocher, Esq., seconded by Captain Cote:

5. Resolved, That the people of this country have long been expecting justice, first from the Colonial Administration, next from the Metropolitan Government, but always in vain;—that during 30 years, fear has broken some of our chains, whilst unbridled lust of power imposed on us others more heavy, the high opinion which we entertained of the justice and honour of the English people inducing us always to hope that the Parliament representing them would redress our grievances:—that this last hope having been disappointed, obliges us to renounce for ever the idea of seeking for justice from the other side of the Atlantic; and, finally, to acknowledge how grossly the country has been deceived with false promises, which led us to fight against a people that offered us liberty and equal rights, in favour of a people preparing for us slavery; and sad experience obliges us now to acknowledge that our friends and natural allies were on the other side of line 45°.

On motion of Captain Beaulac, seconded by Captain H. Chappedelaine:

6. Resolved, That we deny to the British Parliament the right of legislating on what concerns the internal affairs of this Colony, unless with our consent, our participation and at our express demand; that the non-exercise of such a right by England was guaranteed to us by the constitution, and acknowledged by the metropolitan authority, when it feared that we should accept the offers of liberty and independence made to us by the neighbouring Republic:—that consequently we regard as null, and of no avail, the Tenures Act, the Canada Trade Act, the Act incorporating the British American Land Company, and the Act which will doubtless be passed on the Resolutions introduced in the House of Commons.

On

On motion of Mr. A. Ducharme, seconded by Mr. P. Tetreau :

7. Resolved, That henceforth, considering ourselves attached by force to the British Government, we will be subject thereto only as to a government of force, waiting on God, our right and on circumstances for a more favourable lot, the blessings of liberty, and a more just government ; that, as notwithstanding our public revenue, of which the metropolitan authority dares to dispose without our control, is about to become in its hands another means of our oppression, we regard ourselves bound in duty as in honour to resist a tyrant power, in every way at present at our disposal, in order to diminish inasmuch as in us lies the means of oppression.

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Lord Glenelg,
25 May 1837.

Encl. 2, in No. 16.

On motion of Capt. L. Doyon, seconded by Mr. L. Metivier :

8. Resolved, That we will abstain, as much as in us lies, from consuming imported goods, particularly those which pay the higher rates of duties, such as tea, tobacco, sugar, rum, &c.—that we will consume in preference the manufactures of the country :—that we will regard as well deserving of the country, whoever shall establish manufactures, whether of cloth, linen, sugar, spirits, &c. :—that considering the Trade Acts as null, we will regard as lawful the traffic denominated contraband, and will endeavour by all means to favour it, considering those as deserving well of the country who shall embark therein, and as infamous, whoever becomes informer against them.

On motion of Charles Olivier, Esq., seconded by Mr. Charles Lebeau :

9. Resolved, That for the purpose of rendering these Resolutions more efficient, this meeting is of opinion that a patriotic association should be organized, the centre of which would be either at Quebec, Montreal or elsewhere, with a view to encourage, by all means in our power, the non-consumption of any goods but those manufactured in the country, or imported hither without paying duties :—that to that end a committee of ten members (with power to add to their numbers) be formed, to communicate with other committees which may be named in other counties :—that the said committee be composed of Messrs. Boucher-Belleville, J. B. E. Durocher, Ol. Chamard, Jos. Ed. Mignault, F. X. Poitevin, L. Moger, Dr. Dorion, Capt. Beaulac, L. Chappedelaine, and Moyse Duplessis :—that these ten gentlemen have power to name, from among them, two persons to represent this county in any Convention which will hereafter meet.

On motion of H. Laparre, seconded by Mr. Dudevoir :

10. Resolved, That for the better regeneration of this country, it is necessary for us all, after the example of Ireland, to rally around one man :—that God has marked such a man, like O'Connell, to be a political chief—the regenerator of a people :—that for that purpose He has endowed him with a strength of thought and eloquence unsurpassed, a hatred of oppression, a love of country, which no promises nor threats of power can destroy :—that that man, already pointed out by the country, is Louis Joseph Papineau ; that this meeting, taking into consideration the happy results obtained in Ireland from the tribute denominated "*The O'Connell Tribute*," is of opinion that a similar tribute, under the name of "*The Papineau Tribute*," ought to be established in this country ; and that the committees of the non-Importation Association should take upon themselves to provide for the collection of the same.

On motion of Mr. Simon Marchesseau, seconded by Mr. Ant. Lorendeau :

11. Resolved, That this meeting cannot separate without offering its most sincere thanks to the few but zealous and able speakers who supported our cause in the House of Commons, as well as to those honest and virtuous men who voted with them :—that the working men of London, who, with a spirit of liberality and justice worthy of a free people, have presented a Petition to the House of Commons in favour of our unfortunate country, are entitled to our deepest gratitude :—that our friends and brethren of the Political Union of Toronto are equally deserving of our thanks, for the sympathy which they have expressed in our regard in a series of Resolutions passed on the 17th ult., against the measures of coercion proposed by ministers.

On motion of S. Cherrier, Esq., seconded by Mr. Godefroy Cormier :

12. Resolved, That this meeting is convinced, that at a general election with which the country is threatened at the instigation of weak and perverse men as ignorant of public opinion at the present crisis as they are devoid of all influence, the electors will testify their gratitude towards their faithful representatives by electing them anew, and by rejecting those who have forfeited their promises and their duty ; who have betrayed the country either by siding with our enemies, or by absenting themselves, like cowards, when the country expected from them the honest expression of their opinion.

S. Cherrier, President.

J. P. Boucher-Belleville, Secretary.

— No. 17. —

(No. 59.)

COPY of a DESPATCH from the Earl of *Gosford* to Lord *Glenelg*, dated
Castle St. Lewis, Quebec, 10 June 1837.

No. 17.
Earl of Gosford to
Lord Glenelg,
10 June 1837.

My Lord,

IN consequence of meetings held and about to be held in different parts of the province, I cannot conceal from you my impression, that a system of organization, under the influence and guidance of Mr. Papineau, and a few designing individuals ready to execute his purposes, is at this moment going on.

The primary and ostensible object of Mr. Papineau's plan seems to be, to procure a public expression of indignation against the ministerial measures, and eventually to excite a hostile feeling against the government, and to establish a convention which he expects will overawe the constituted authorities, and thus carry all his destructive views into execution.

Under this conviction, I am prepared to adopt prompt measures, should they be necessary, to check the evil in its infancy. I contemplate therefore issuing a proclamation, warning the people against the misrepresentations and machinations of the designing, and exercising the discretion you confided to me, for increasing the military force here, by despatching your letter to Sir Colin Campbell, with a request for one of the regiments now stationed at Halifax.

I must repeat, that these steps would not be dictated by the apprehension of any serious commotion, for I have every reason to believe that the mass of the Canadians are loyal and contented, but from the persuasion that the presence of a larger military force in this province might of itself prevent the occurrence of any disturbance, by deterring the ill-disposed, securing the wavering and giving confidence to the timid.

I have, &c.

(signed) *Gosford.*

— No. 18. —

(No. 60.)

COPY of a DESPATCH from the Earl of *Gosford* to Lord *Glenelg*, dated
Castle of St. Lewis, Quebec, 15 June 1837.

No. 18.
Earl of Gosford to
Lord Glenelg,
15 June 1837.

My Lord,

WITH reference to my Despatch of the 10th instant (No. 59), I have the honour to acquaint you, that for the reasons therein stated, I thought it advisable on further reflection at once to forward your letter to Sir Colin Campbell, with a request that he would send to this province one of the regiments under his command; and I have also, with the advice of the executive council, this day issued a proclamation, of which I enclose a copy for your Lordship's information.

(signed) *Gosford.*

Enclosure in No. 18.

Province of Lower Canada.

Encl. in No. 18.

His Excellency the Right honourable *Archibald* Earl of *Gosford*, Baron *Worlingham* of *Beccles*, in the county of *Suffolk*, Captain-General and Governor-in-Chief in and over the Provinces of Upper Canada and Lower Canada, Vice Admiral of the same, and one of His Majesty's most honourable Privy Council, &c. &c. &c.

A PROCLAMATION.

WHEREAS certain of His Majesty's subjects in different parts of this Province, have recently held public meetings, and thereat adopted resolutions having for their object the resistance of the lawful authority of the King and Parliament, and the subversion of the laws, on the observance of which, the welfare and happiness of all His Majesty's subjects, under
Divine

Divine Providence, chiefly depend: And whereas at such meetings, evil disposed and designing men, the instigators thereof, have by artifice and misrepresentation, endeavoured to spread abroad statements and opinions inconsistent with loyal duty to His Majesty, and with the acknowledged principles of the constitution, injurious to the lawful authority of His Majesty and of His Parliament, and tending to persuade His Majesty's subjects that they are absolved from their allegiance, that they can no longer depend on the parent state for justice and protection, and that they must seek for the same, when a convenient opportunity offers, by other means:

Earl of Gosford to
Lord Glenelg,
15 June 1837.

Encl. in No. 18.

And whereas it is both my resolution and my duty to maintain and defend to the utmost, against all such unlawful proceedings and attempts, the undoubted prerogatives and powers of His Majesty and of His Parliament, in order to maintain and secure the institutions both civil and religious, of His Canadian subjects, and to preserve peace and good government in this province:

And whereas upon the occasions aforesaid, representations have knowingly been made, entirely devoid of truth, for the purpose of inducing His Majesty's subjects to swerve from their allegiance, and of producing a belief that the Parliament of the United Kingdom has violated or intends to violate the just rights and privileges of His Majesty's subjects in this province, and is about to adopt oppressive measures towards them:

Being desirous of undeceiving such as may unwarily have been led to rely upon such untrue and mischievous representations, it has become my duty, as the representative of His Majesty, to address myself most earnestly to the people of this province, in the confidence that they will listen to the language of reason, respect unanimously those precepts of just subordination inculcated by the laws of their country, and by no act of reckless indiscretion, either compromise their present happiness and future prosperity, or permit those permanent interests to be compromised by others;—

I do therefore, by and with the advice and consent of His Majesty's executive council of this province, hereby most solemnly exhort all the subjects of His Majesty in this province, to unite in the cause of peace and good order, to discontinue all writings of an exciting and seditious tendency, and to eschew all meetings of a dangerous or equivocal character; and I do hereby enjoin and strictly command all magistrates in and throughout the province, all officers of militia, peace officers and others His Majesty's good subjects therein, to oppose and frustrate the insidious designs adverted to in this proclamation, and to preserve by their loyal co-operation, the vigour and inviolability of the laws, on which their religion and future happiness depend.

Given under my hand and seal at arms, at the Castle of St. Lewis, in the city of Quebec, the fifteenth day of June One thousand eight hundred and thirty-seven, and in the seventh year of His Majesty's reign.

By his Excellency's command,

D. Daly,
Secretary of the Province.

— No. 19. —

(No. 245.)

COPY of a DESPATCH from Lord *Glenelg* to the Earl of *Gosford*, dated
Downing-street, 22 July 1837.

My Lord,

I HAVE had the honour to receive your Despatch of the 15th June, No. 60, reporting the measures which you had felt it your duty to adopt, in consequence of certain proceedings which had occurred at public meetings in Lower Canada, called for the purpose of expressing opinions on the resolutions, relative to Lower Canada, lately passed by both Houses of the Imperial Parliament.

No. 19.
Lord Glenelg to
Earl of Gosford,
22 July 1837.

Her Majesty commands me to convey to you Her approbation of the measures which you have reported, although the Queen deeply regrets that any circumstances should have occurred to render them necessary. Fully appreciating, however, the difficulty of the situation in which you are placed, Her Majesty feels assured that, with the forbearance and self-command necessary to the safe conduct of the public affairs of Lower Canada in the present exigency, you will combine such decision and firmness as will effectually establish the public confidence if it should unhappily be necessary to resort to the use of the powers with which the law has entrusted you.

I have, &c.

(signed) *Glenelg.*

No. 20.

Lord Glenelg to
Earl of Gosford,
25 July 1837.

— No. 20.—

(No. 248.)

COPY of a DESPATCH from Lord *Glenelg* to the Earl of *Gosford*, dated
Downing-street, 25 July 1837.

My Lord,

I HAVE had the honour to receive your Despatch of the 25th May, marked "Confidential," enclosing extracts from the "Vindicator" newspaper, in which are detailed the proceedings at two public meetings called to express opinions on the resolutions, respecting Lower Canada, lately passed by both Houses of the Imperial Parliament. I need not assure your Lordship of the deep interest with which I regard the present state of Lower Canada, although I confidently trust that nothing will occur to disturb the public peace. Your Lordship will of course keep me regularly informed of all proceedings which may in any way bear on the great questions at present in debate in the province.

I have, &c.

(signed) *Glenelg*.

— No. 21.—

No. 21.

Earl of Gosford
to Lord Glenelg,
26 June 1837.

EXTRACT of a DESPATCH from the Earl of *Gosford* to Lord *Glenelg*, marked
"Confidential," and dated Castle St. Lewis, 26 June 1837.

WITH reference to the Despatches which have passed between us on the subject of appointments to the Legislative and Executive Councils, I am induced to forward the enclosed list of names, with such observations annexed to each as may perhaps afford you some assistance in arriving at a conclusion as to their qualifications and fitness for those bodies. I have had considerable difficulty in making out this list, and though I cannot take upon myself to affirm the complete accuracy of all the remarks, yet, judging from the sources I have had recourse to for information, and from my knowledge of many of the individuals comprised in the list, I am inclined to think it is as correct as, considering all things, could be expected. I have not placed the names on the list in the order in which they should be selected; indeed I found I could not do this without some personal knowledge of each of the individuals mentioned in it. With reference to the list of those whom, in my Despatch of the 26th April 1836, I recommended for seats in the Legislative Council, recent events have led me to doubt the propriety of placing some of them in that branch of the Legislature. Should it be thought desirable to increase the Legislative Council beyond the additional 10 recommended, I have only to refer you for selection to Enclosure No. 1.

I regret not having forwarded you the list sooner, but you can form no idea of the difficulty and time it took to prepare it.

Enclosure 1, in No. 21.

LIST of NAMES and REMARKS.

Enclosure 2, in No. 21.

Encl. 2, in No. 21.

LIST of Gentlemen recommended by the Earl of *Gosford* to be appointed to the
Legislative Council of Lower Canada.

- | | |
|------------------------------------|--|
| 1. Hertel de Rouville. | 6. C. C. Sabrevois de Bleury, M. P. P. |
| 2. John Neilson. | 7. John Pangman. |
| 3. Melchier Alphonse de Salaberry. | 8. Gabriel Marchand. |
| 4. Janvier Denteuil Lacroir. | 9. Malcolm Fraser. |
| 5. Amable Dionne. | 10. René Edouard Caron. |

Enclosure

Enclosure 3, in No. 21.

NAMES of Gentlemen recommended by the Earl of *Gosford* for Seats in the Executive Council of Lower Canada.

1. Pierre Dominique Debartzch, Legislative Councillor.
2. Dominique Mondelet, Honorary Executive Councillor.
3. Fred. Auguste Quesnel, King's Counsel at Montreal.
4. John Neilson.
5. Elzear Tachereau, Seigneur.
6. George Vanfelson, Advocate at Quebec.
7. Andrew Stuart - ditto, and M. P. P.
8. Hector Simon Huot, ditto and ditto.
9. René Edouard Caron, Advocate, and late Mayor of Quebec.
10. Jaques Viger, late Mayor of Montreal.
11. William Sheppard, Merchant, Quebec.
12. George Pemberton - ditto - ditto.
13. Louis Panet, Notary-public, Quebec.

No. 21.

Earl of Gosford to
Lord Glenelg,
26 June 1837.

Encl. 3, in No. 21.

— No. 22. —

COPY of a DESPATCH from Lord *Glenelg* to the Earl of *Gosford*, dated
Downing-street, 22 August 1837.

No. 22.

Lord Glenelg to
Earl of Gosford,
22 August 1837.

I HAVE received your Lordship's Despatch of the 26th June, marked "Confidential," enclosing lists of the gentlemen whom you propose to advance to seats in the Legislative and Executive Councils of Lower Canada.

Before this Despatch can reach your Lordship, you will probably, in pursuance of my instructions of the 14th ultimo, No. 240, have appointed to the Executive Council nine of the thirteen gentlemen whose names appear in the Enclosure, No. 3, to your Despatch of the 26th June. In preparing that list, your Lordship would seem to have assumed that provision would have been made by Parliament for relieving the Executive Council from their judicial duties, and that consequently there would be an end of the impediment which has hitherto virtually excluded from that body all gentlemen engaged in the active pursuit of the legal profession as advocates. The list, therefore, comprises five names drawn from that class. You were entitled to act on this anticipation, which, but for the demise of the Crown, and the consequent dissolution of Parliament, would probably have been verified. But as for the present, at least the judicial powers of the Executive Council remain, and as every member of it appointed by royal mandamus is qualified for the exercise of them, and is therefore incompetent to practise at the bar of that tribunal, it would be unreasonable to expect that Messrs. Vanfelson, Stuart, Huot, Palet or Mondelet would accept an office involving so serious a professional sacrifice. The same objection might seem to apply to the case of M. Quesnel, who is also a member of the bar; but I understand, from private intelligence, that he has retired from the pursuit of that profession. He may, therefore, not feel any objection to disqualify himself for advocating appeal causes.

Thus, from the list contained in the enclosure No. 3, five names must for the present be excluded in the choice to be made by the Queen, and the persons immediately eligible by Her Majesty are reduced to the number of eight. As, however, the difficulty does not apply to the case of appointments made provisionally by the Governor, and without a royal mandamus, I conclude that the five gentlemen in question, or some of them, will be Executive Councillors, in virtue of nominations made by your Lordship in exercise of the authority of which you are in possession. Considering the influence exercised in the local society by the faculty of advocates, how large a proportion of the persons most distinguished for ability in public affairs are of that profession, it seems of importance that several members of the Executive Council should be lawyers.

I should have wished to submit to the Queen, without any alteration, the list as prepared by your Lordship; but the difficulty to which I have referred has obliged me to take another course. I think it best that for the present five only of the gentlemen recommended by your Lordship should receive appointments directly from the Crown; and I transmit herewith the necessary instruments, nominating Messrs. Debartzch, Quesnel, Neilson, Caron and Pemberton. There seems to be no reason why each of them should not at once be called to the Council Board by royal mandamus.

Thus the Executive Council will for the present consist of the five gentlemen just mentioned, and of any others whom your Lordship may have provisionally

appointed,

No. 22.

Lord Glenelg to
Earl of Gosford,
22 August 1837.

appointed, and of the former members Messrs. John Stuart, Heney, Smith, Delery and Cochrane. But I am led to think that Messrs. Smith, Delery and Cochrane will avail themselves of this opportunity of resigning their seats; and in this case you will convey to them the expression of the grateful sense which Her Majesty entertains, and has commanded me to express of the value of the services rendered by them as members of the Executive Council.

Your Lordship is aware that it had been the intention of Her Majesty's Government to re-compose entirely the Executive Council, and with that view to cancel all the existing appointments. If this course had been taken I should have recommended to the Queen to include Messrs. John Stuart and Heney in the new list, so that the present measure will be in substance, though not in form, identical with that which was contemplated, with the exception that the councillors practising at the bar will not hold their seats by the direct nomination of Her Majesty.

In your Lordship's Despatch of the 26th June, you have supplied a list of ten gentlemen to be added to the Legislative Council of the province, I have accordingly submitted their names to the Queen, and have the honour to enclose the necessary instruments under Her Majesty's signet and sign manual, appointing them to be legislative councillors for Lower Canada. You will have the goodness to intimate to each of these gentlemen, that although Her Majesty has been graciously pleased to approve and confirm your selection of them, yet that as this addition is made to the Legislative Council at a time when the deliberations of Parliament respecting the constitution of that body have been suspended, and are about to be resumed, they must enter the council on the clear understanding that they hold their seats subject to any modification which it may be the pleasure of the Legislature to make in the existing law.

It remains only for me to observe, that I have, to the best of my power, inquired and satisfied myself that, in the selection of the names to be added to both councils, regard has been had to the principles by which the Commissioners have advised that the choice should be regulated. I refer especially to their advice as to the professions and places of residence of the members, their tenure of offices of emolument under the Crown, and the introduction into the Executive Council of a certain proportion of members from either branch of the local legislature. On this subject, however, it is of course impossible for me to advance beyond the assertion of the general principle, that the advice of the Commissioners is to be strictly followed, and the expression of my confidence that, if by any oversight or inadvertence any departure from it has occurred in the selection which your Lordship has made, you will report the fact to me, in order that the error may be promptly corrected.

I have, &c.

(signed)

Glenelg.

— No. 23. —

EXTRACT of a DESPATCH from the Earl of Gosford to Lord Glenelg,
dated Castle of St. Lewis, 4 July 1837.

No. 23.

Earl of Gosford
to Lord Glenelg,
4 July 1837.

LEST you should draw your conclusions of what is going on here from such statements as those made in the "Minerve" and "Vindicator" newspapers, I am induced to write a short letter, merely to acquaint you that Mr. Papineau with a few of his party have been actively employed in attending meetings in different parts of this province, with the view of exciting and inflaming the minds of the people (nominally) against Lord J. Russell's Resolutions; but in fact, to disseminate doctrines of an illegal and seditious tendency. The papers above mentioned would lead you to suppose that Mr. Papineau's efforts have been attended with great success; but from all the reports which have been made to me of the proceedings at these meetings, I am led to conclude that the accounts given in those journals are, to say the least, greatly exaggerated; indeed, in some instances the results have been what may be called a failure. Mr. Papineau is, from all I can learn, losing ground. The country is quiet. Though I should imagine that Mr. Papineau's party have emissaries employed in various directions working mischief, it requires caution and vigilance; but I do not see any ground for apprehending any thing like serious commotion.

No. 24.

— No. 24. —

No. 24.

Earl of Gosford
to Lord Glenelg,
11 July 1837.

(No. 69.)

COPY of a DESPATCH from the Earl of Gosford to Lord Glenelg, dated
Castle of St. Lewis, Quebec, 11 July 1837.

My Lord,

IN my Despatch of the 15th ultimo (No. 60), I informed your Lordship, that in consequence of the meetings for objects of an illegal nature, held and about to be held in different parts of the province, I had deemed it necessary to issue the proclamation of which I enclosed you a copy, and to request from Sir Colin Campbell a reinforcement of the troops here, to the extent of one regiment; and I now propose to acquaint you with the steps I have taken, and the events that have occurred in this matter since the transmission of that Despatch.

Shortly after the issuing of the proclamation, and in order to publish it as extensively as possible, I took advantage of the assemblage and review of the militia, which occurs annually throughout the province on the 29th of June, to order, as captain-general of that body, that the proclamation should be read at the head of each regiment. This order was complied with in the great majority of instances, but in some I believe it was disobeyed, and even treated with contempt. I have not, however, yet received any official information on these points, except in one case, that of Lieut.-Colonel Raizenne, commanding the 3d battalion, in the county of Two-Mountains, where the spirit of violence and agitation has most strongly developed itself. This individual declared his intention not to read the proclamation, in a letter addressed to the provincial secretary for my information, the tone and tenor of which was such as to aggravate the offence. I have accordingly caused it to be intimated to Mr. Raizenne, that in consequence of disobedience to orders, His Majesty had no further need of his services. Some of the magistrates also have, I am informed, acted improperly on this occasion. One, a Dr. M. F. Valois, of the county of Montreal, whose conduct has been officially brought before me, I have called on for an explanation, and if it be not given, or prove unsatisfactory, I shall feel it my duty at once to strike him out of the commission of the peace.

No one can regret these measures more than myself, but a few examples appear to be necessary, and will, I believe, have a very salutary effect, especially as it has been part of the policy of the ill-disposed to create an impression that the Government is unwilling or unable to act, and that it may be set at defiance with impunity.

From the best information that has reached me, I have reason to think that the proclamation has been useful, for although a few meetings have been held subsequently to its appearance, yet I believe they have proved failures, and are scarce worth noticing. Mr. Papineau has been recently visiting various parts of the district of Quebec, for the purposes of agitation, but apparently with very little success.

Before quitting the subject of meetings, I must mention one that took place on the 6th instant, in the city of Montreal, of quite an opposite nature to those I have already noticed. It was called by a requisition signed by upwards of 1,200 individuals, and was far more numerously attended than any that had yet been held, the numbers being estimated at about 4,000, amongst whom were many of French Canadian origin of great respectability, and some who had hitherto gone with the Papineau party. The objects of the resolutions that were passed, four in number, and copies of which are enclosed, are to justify the measures of the Imperial Parliament, on the ground of their being rendered necessary by the refusal of the Assembly to grant the requisite appropriations for the administration of justice and the support of the civil government of the province; to disapprove of the conduct of the Assembly in refusing to proceed with the public business; to reprobate, in strong terms, the resolutions adopted and measures recommended at the meetings of the opposite party; and, finally, to express a conviction that all real grievances will be fully redressed by His Majesty's Government, and that a continued connexion of the province with Great Britain is essentially necessary for the prosperity and improvement of the former.

It is intended, I understand, shortly to have a meeting of a similar nature in this city.

I have mentioned to your Lordship, that the greatest excitement and violence appears to have been displayed in the county of the Two-Mountains, and this

CORRESPONDENCE RELATIVE TO THE

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No. 24.
Earl of Gosford to
Lord Glenelg,
11 July 1837.

has gone to the length of injuring the property and discharging fire-arms into the houses of some who are loyally disposed, and refuse to join the ranks or participate in the opinions of their political opponents. One or two acts of this description having come officially to my knowledge; I instantly issued a Proclamation offering a reward for the apprehension of the offenders, and despatched the Attorney-general to Montreal, which is in the district and near the spot where the outrages have been committed, with instructions to adopt prompt and vigorous measures for maintaining the supremacy of the laws and bringing its violators to justice. These measures, and the arrival from Halifax of the 83d regiment in two vessels of war which have just come into port, will, I am confident, produce tranquillizing and excellent results throughout the province; and I may close this Despatch with a repetition of my conviction, that no disturbance or serious interruption of the usual course of events is likely to occur.

I have, &c.
(signed) Gosford.

Enclosure in No. 24.

(No. 1,371.)

COPY of RESOLUTIONS passed at a Meeting held in the City of *Montreal*, on the 6th July 1837.

Encl. in No. 24.

Moved by Jules Quesnel, Esq. J.P., seconded by John Molson, Esq.

1st. That the unjustifiable refusal of the House of Assembly of Lower Canada to make the necessary appropriations for the administration of justice and the support of the civil government of Lower Canada has been the principal cause of the Resolutions brought forward by His Majesty's Ministers, and adopted by the Imperial Parliament.

Moved by William Robertson, Esq. M.D., and seconded by C. S. Debleury, Esq. M.P.P.

2d. That this meeting highly disapproves of the outrageous proceedings of the majority of the House of Assembly in their express refusal to proceed with the public business, in their declared resolve not to co-operate with the government, and in their fixed determination to continue the course of policy pursued by them, all which are productive of great evil to the province generally, ruinous to the commerce of the country, and fatal to the interests of the agricultural and labouring classes.

Moved by P. E. Leclerc, Esq. J.P., seconded by S. Bagg, Esq.

3d. That this Meeting cannot too forcibly express its abhorrence of the immortal and disorganizing effects of the Resolutions adopted, and measures recommended at public meetings recently held in various parts of this province, and that this meeting reprobates them as detrimental to the welfare of the country, and directly opposed to the sentiments of fidelity to His Majesty and devotion to His Government generally, entertained by his loyal Canadian subjects throughout the province.

Moved by the Honourable P. M'Gill, seconded by Edmund Barron, Esq.

4th. That this Meeting is impressed with the conviction that the real and acknowledged grievances of His Majesty's subjects in Lower Canada will be fully redressed by His Majesty's Government, that the continued connexion of Lower Canada with the parent state is essentially necessary for the prosperity and improvement of the province, and that any attempt to disturb that connexion and produce a dismemberment of the empire is directly contrary to the opinion as it is absolutely opposed to the wishes and interests of this meeting.

— No. 25. —

(No. 259.)

COPY of a DESPATCH from Lord *Glenelg* to the Earl of *Gosford*, dated Downing-street, 27 August 1837.

No. 25.
Lord Glenelg to
Earl of Gosford,
27 August 1837.

My Lord,

I HAVE the honour to acknowledge your Despatch of the 11th July, N o. 69, reporting the course of public affairs in Lower Canada since your proclamation of the 15th June; the steps which you have taken to vindicate the law and repress disturbances of the peace, and the proceedings at a numerous meeting held in Montreal on the 6th July.

I have laid this Despatch before The Queen, and have received Her Majesty's commands to signify to you Her gracious approbation of the measures which you have adopted, and of the loyal and constitutional proceedings of Her Majesty's subjects assembled at the meeting in the city of Montreal, on the 6th of July.

I have, &c.
(signed) Glenelg.

— No. 26.

No. 26.
Earl of Gosford to
Lord Glenelg,
25 July 1837.

EXTRACT of a DESPATCH from the Earl of Gosford to Lord Glenelg,
dated Castle St. Lewis, 25 July 1837.

I HAVE had a letter from the Attorney-general, who I sent to Montreal for the purpose of inquiring into some outrages that had been committed in the county of Two Mountains. That district was perfectly tranquil until Mr. Papineau held his meeting in it; and I have no doubt that the violent inflammatory speeches that were made at it, and the gross misrepresentations which were promulgated, were the cause of the lawless proceedings which followed. The last account I had from the Attorney-general was very favourable, and I have reason to hope that peace and order will soon be restored. I am happy to add, that there has been no occasion to call in the aid of the military. The Attorney-general will return here immediately, and should I hear any particulars from him worth communicating, I shall lose no time in making you acquainted with them.

— No. 27. —

COPY of a DESPATCH from the Earl of Gosford to Lord Glenelg.

(No. 80.)

No. 27.
Earl of Gosford to
Lord Glenelg,
7 August 1837.]

My Lord,

Castle of St. Lewis, Quebec,
7 August 1837.

I HAVE the honour to transmit to you herewith, for the purpose of being laid at the foot of the Throne, the enclosed Loyal Address, which has been this day presented to me by a numerous deputation from a public meeting of the inhabitants of this city, which took place on the 31st ultimo, expressing their disapprobation of the proceedings of other meetings of an opposite tendency that have been held in various parts of the Province, and conveying an assurance of their fidelity to the Crown, and attachment to the connection between this Province and the United Kingdom.

The meeting, which was conducted in the most orderly and peaceable manner, was summoned by a requisition, signed by, I understand, about 3,000 persons, and attended by upwards of 6,000 of all classes of the inhabitants of the city and vicinity of Quebec.

I beg to enclose a copy of the Answer which I returned to the Address, and
Have the honour to be, &c.

Gosford.

Enclosure, No. 1.
3 August 1837.

Enclosure, No. 2.
7 August 1837.

— Enclosure 1, in No. 27.

TO His Excellency the Right Honourable Archibald, Earl of Gosford, Baron Worlingham of Beccles, in the County of Suffolk, Captain-General and Governor-in-Chief in and over the Province of Lower Canada, &c. &c. &c.

Enclosure 1, in
No. 27.

May it please your Excellency,

WE, Her Majesty's dutiful and loyal subjects, the undersigned inhabitants of the city and vicinity of Quebec, forming a committee of a public meeting held on the Esplanade, on Monday the 31st July now last past, for the purpose of expressing the opinion of the said meeting on certain attempts made at other meetings held in different parts of this province, and to convey their said opinion to Her Majesty's Government, humbly approach your Excellency, as representing our gracious Sovereign in this province, in conformity to the resolution by which we are appointed, and most respectfully represent, on the part of the said meeting:

That we have observed, with deep regret, the attempts which have been made at meetings recently held in different parts of this province, to disseminate disrespect for the public authorities, and disaffection towards the British Government and Parliament, and to excite to the violation of the laws.

That whatever differences of opinion may have prevailed in the province in regard to its public concerns, the inhabitants thereof have hitherto maintained a distinguished character for fidelity to the Sovereign, a love of public order, and obedience to lawful authority; and that it is our duty and determination still to maintain this character, and

resist

No. 27.
Earl of Gosford to
Lord Glenelg.

Enclosure 1, in
No. 27.

resist to the utmost all acts or attempts contrary to the allegiance which is due to the British Crown, or against the public peace, or in violation of the law:

That we feel the entire conviction, that the present unfortunate condition of public affairs in this province is in great part owing to the misunderstandings and dissensions which have prevailed in the Legislature and amongst the inhabitants of this Province, and that a remedy is to be found in avoiding these misunderstandings and dissensions for the future, and in the cordial union of all classes in promoting the peace, welfare, and good government of the province:

That it is equally the duty and interest of the government and the subject in the colony to co-operate in the remedy of all abuses which may be found to exist, to the end that the peace and prosperity of the province may be effectually promoted, and all classes of the inhabitants be maintained in equal rights, and in the full enjoyment of security of person and property, and all the peculiar privileges which they enjoy, or to which they are legally entitled.

That under the present circumstances, it is our duty humbly to assure Her Majesty's Government, that it may fully rely on our fidelity to the Crown, and affectionate attachment to the connexion subsisting between this province and the United Kingdom of Great Britain and Ireland.

We beg leave to assure your Excellency, that the persons who attended at the said meeting, and concurred in the sentiments now expressed, formed a majority of the inhabitants of the city of Quebec; and they humbly pray, on the part of the said meeting, that the aforesaid expression of their opinions and their loyal assurances may be transmitted to Her Majesty's Government in England.

Quebec, 3 August 1837.

Joseph Deblois.
J. Neilson.
L. G. Berthelot.
M. Berthelot.
M. Borne.
Pierre M. Paquet.
P. Julien.
E. Joseph Gagné.
James McKenrie.
J^s Fiset.
Jean B^{te} Henauld.
J. B. Finhete, jun.
Thomas C. Lee.
L^s Prevost.
J. W^m Woolny.
Jacques Le Bland.
Ebenezer Baird.
Benj. Corriveau.
P. Dasilva.
Th. Baillaingé.
Geo. W. Cullin.
Aug. Amiot.
Ant. A. Parent.
Pierre Lavaie.
Pierre Robitaille.
Julien Chrinnard.
Jno. Thomson.

E. Glaekernerer.
James Gibb.
J. Jones, jun.
Michel Hamel.
Christian Hoffman.
Fa Buteau.
R. Haddan.
Chr. Phillips.
Nicolas Wells.
A. Anderson.
William Henry Roy.
John Lily.
Anelú Gaudy.
L^s Lesbert.
H. Le Meunier.
Allan Gilmour.
L. Windsor.
F. J. Parent.
John Hummel.
Thomas Tweddell.
H. Bristow.
J. Crimaine.
Jacques Drolet.
Dunbar Ross.
James Dean.
Franc^s Jacq^s Séguin.
W^m Marsden.

D. Roy.
Jno. Fraser.
Benjⁿ Cole.
W^m Burke.
F. X. Malonir.
Aug. Amiot.
Peter Sheppard.
J. Duval.
J. J. Nesbitt.
J. Fraser.
Alexis Trimblay.
Geo. Bumselyents.
Wm. L. Hunt.
P. Dorion.
W. K. Wobord.
W. H. Anderson.
Ch^s Deguisse.
Chas Langevin.
E. G. Camion.
Peter D. Langtais.
Ignace Legnaré, père.
T. A. Young.
Joseph Falardeau Cess.
Lorette.
R. Symes.
W. Power.

Enclosure 2, in No. 27.

Enclosure 2, in
No. 27.

Gentlemen,

I SHALL have much pleasure in transmitting, as you request, to Her Majesty's Government in England, the address which you have just presented to me for that purpose; and I feel convinced that Her Majesty will receive with entire satisfaction the assurances of fidelity to the Crown, of obedience to the laws, and of affectionate attachment to the connexion between this Province and the United Kingdom, which so numerous and highly respectable a portion of the inhabitants of the city and vicinage of Quebec have thus come forward to tender. These assurances, in conjunction with that union of loyalty and public spirit which has so recently been manifested in this town, cannot fail to prove peculiarly acceptable at a time when the most artful and insidious attempts have been resorted to, to disseminate doctrines at variance with morality and justice, and tending to the overthrow and violation of those laws and institutions which secure to the whole body of Her Majesty's Canadian subjects the rights and immunities which they now possess and enjoy.

While I deeply regret these attempts, and while my earnest endeavours shall be directed to avert the calamities they are calculated to produce, I can assure you that I shall not cease to adhere to those principles which I have ever held, and shall be always ready and anxious, while I fill the high situation confided to me by our gracious Sovereign, to co-operate

co-operate in the remedy of abuses, in promoting the welfare and happiness of this province, and in maintaining all classes of its inhabitants in the full and peaceful enjoyment of equal rights.

Enclosure 2, in
No. 27.

Castle of St. Lewis, Quebec,
7 August 1837.

—No. 28.—

COPY of a DESPATCH from Lord *Glenelg* to the Earl of *Gosford*.

(No. 270.)

No. 28.

Lord Glenelg to
Earl of Gosford,
20 Sept. 1837.

My Lord,

Downing-street, 20 September 1837.

I HAVE had the honour to receive and to lay before the Queen your Lordship's despatch, No. 80, of the 7th August, enclosing a loyal address, which had been presented to you by a deputation from a public meeting held in Quebec on the 31st July.

Her Majesty has commanded me to instruct you to acquaint the gentlemen from whom this address proceeded, that She has received with high satisfaction the proof which it affords of their attachment to the principles of the constitution of the province of Lower Canada, and that they may confidently rely on those principles being maintained by Her Majesty for the common benefit of all classes of Her Canadian subjects.

I have, &c.

(signed)

Glenelg.

—No. 29.—

COPY of a DESPATCH from the Earl of *Gosford* to Lord *Glenelg*.

(No. 84.)

No. 29.

Earl of Gosford to
Lord Glenelg,
18 August 1837.

My Lord,

Castle of St. Lewis, Quebec, 18 August 1837.

I HAVE the honour to transmit herewith a copy of the Speech with which I have this day opened the Session of the Provincial Parliament of Lower Canada.

I have, &c.

(signed)

Gosford.

Enclosure in No. 29.

Encl. in No. 29.

PROVINCIAL PARLIAMENT of *Lower Canada*.

Legislative Council Chamber, Quebec, 18 August 1837.

THIS day, at three o'clock, his Excellency the Governor in Chief came down in state to the Legislative Council Chamber, and being seated on the Throne, the Gentlemen Usher of the Black Rod was sent down to the Assembly to command their attendance before his Excellency, and that House being come up, his Excellency was pleased to open the Fourth Session of the Fifteenth Provincial Parliament of Lower Canada with the following Speech:—

Gentlemen of the Legislative Council,
Gentlemen of the House of Assembly,

In obedience to the Royal commands signified to me through the Principal Secretary of State for the Colonies, I have convened you at this unusual period for the purpose of communicating to you the proceedings that, since your last Session, have taken place in the Imperial Parliament, and the resolutions that have been therein adopted, on the affairs of this Province.

This course has been prescribed to me in order to afford the House of Assembly, before that resolution which relates to the payment of the arrears now due for the civil service of this Government shall have assumed the binding shape of a law, an opportunity of re-considering the course, which, for the last four years, they have thought it expedient to pursue with respect to the financial difficulties of the province, and in the earnest hope that by a timely intervention of this Legislature the exercise of the power intended to be intrusted to the head of the local government may be rendered unnecessary; a result, for the attainment of which Her Majesty's Government would willingly make every sacrifice save that of the honour of the Crown and the integrity of the empire.

Since

No. 29.
Earl of Gosford to
Lord Glenelg,
18 August 1836.

Encl. in No. 29.

Since the receipt of the instructions to which I have alluded, the mournful intelligence has reached us of the demise of our late deservedly-beloved Monarch. Few Kings have reigned more in the affections of their subjects than William the Fourth. The warm and lively interest he always took in every matter connected with the welfare of his Canadian subjects, cannot fail to increase their feelings of regret for his loss.

The accession of our present gracious Sovereign, Queen Victoria, to the Throne of the British Empire, has not produced any alteration in the course that had been previously prescribed for my adoption.

The reports of the Royal Commissioners on the several subjects which came under their investigation during their stay in Lower Canada, having been laid before the two Houses of the Imperial Parliament, a series of Resolutions, ten in number, were shortly afterwards introduced by Ministers, relative to the affairs of this province; copies of which I shall communicate to you in the usual way, at the earliest opportunity. The principal object of these Resolutions are to declare,

1stly. That in the existing state of Lower Canada, it is inadvisable to make the Legislative Council elective, but that it is expedient to adopt measures for securing to that branch of the Legislature a greater degree of public confidence.

2dly. That while it is expedient to improve the composition of the Executive Council, it is inadvisable to subject it to the responsibility demanded by the House of Assembly.

3dly. That the legal title of the British American Land Company to the land they hold under their charter, and an Act of the Imperial Parliament, ought to be maintained inviolate.

4thly. That as soon as this Legislature shall make provisions by law for discharging lands from feudal dues and services, and for removing any doubts as to the incidents of the tenure of land, in free and common soccage, it is expedient to repeal the Canada Tenures Act, and the Canada Trade Act, so far as the latter relates to the tenures of land in this province, saving, nevertheless, to all persons the rights vested in them under or in virtue of those Acts.

5thly. That, for defraying the arrears due, on account of the established and customary charges of the administration of justice, and of the civil government of the province, it is expedient, that, after applying for that purpose such balance as should, on the 10th day of April last, be in the hands of the Receiver-general, arising from the hereditary, territorial, and casual revenues of the Crown, the Governor of the Province be empowered to issue, out of any other monies in the hands of the Receiver-general, such further sums as shall be necessary to effect the payment of such arrears and charges up to the 10th of April last.

6thly. That it is expedient to place at the disposal of this Legislature the net proceeds of the hereditary, territorial, and casual revenues of the Crown, arising within the province, in case the said Legislature shall see fit to grant a civil list for defraying the necessary charges of the administration of justice, and for the maintenance and unavoidable expenses of certain of the principal officers of the civil government of the province; and, lastly,

That it is expedient that the Legislatures of Lower and Upper Canada respectively be authorized to make provision for the joint regulation and adjustment of questions respecting their trade and commerce, and of other questions wherein they have a common interest.

Having thus laid before you an outline of the measures contemplated by the Resolutions which were passed after full discussion in the House of Commons, by large majorities, and in the House of Peers without a division, I proceed, in obedience to the Royal commands, to assure you, that it was with the deepest regret and reluctance that Her Majesty's Government yielded to the necessity of invoking the interference of Parliament, in order to meet the pressing difficulties which other resources had failed to remove in the administration of the affairs of the province.

But with a view to abstain as much as possible from any interference which is not imperatively demanded by the force of existing circumstances, Her Majesty's Ministers have determined not to submit to the present Parliament the Bills to be founded on the Resolutions of which I have just spoken; yet, as they cannot overlook the necessity of making immediate provision for the discharge of the debt due from the civil government of this province, they have resolved to propose to the House of Commons that a vote of credit should be passed for the advance, by way of a loan from British funds, of the sum required for the payment of that debt.

Gentlemen of the House of Assembly,

The accounts showing the payments that have been made, since the close of the session in March 1836, out of the revenues at the disposal of the Crown, in part liquidation of the large arrears then due in respect of the civil establishments of the province, shall, as soon as possible, be submitted to you, with every explanation that you may desire and I can supply. I have likewise, in obedience to the injunctions I have received, directed that an account of the balance of arrears owing on the 10th of April last for official salaries, and the ordinary expenditure of the local government, be made out and laid before you, with an estimate for the current half year; and in recommending, as I do most earnestly, these matters to your early and favourable consideration, I am commanded to express to you at the same time the anxious hope that the governor of this province may not be compelled to exercise the power with which the Imperial Parliament has declared its intention of investing him, in order to discharge the arrears due in respect of public services, for the payment of which the faith of the Crown has been repeatedly pledged. The chief object, therefore, for which you are now called together, is to afford you an opportunity, by grant-

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ing the requisite supplies, of rendering unnecessary, on the part of the Imperial Parliament, any further action on the 8th of the series of Resolutions to which I have alluded; and it will, I can assure you, be to me matter of unmixed satisfaction should you resolve to concede to the united voice of the British people, as expressed through the several branches of their Legislature, that which you have not thought it expedient to yield to the solicitations of the executive government alone.

Gentlemen of the Legislative Council,

Gentlemen of the House Assembly,

I am further commanded to express to you the earnest desire of Her Majesty's Government to co-operate with you in the removal of every obstacle to the beneficial working of the existing constitution, and in the correction of every defect which time and experience have developed in the laws and institutions of the province, or in the administration of its government; and I am also to assure you of a prompt attention on the part of Her Majesty's Government to every representation which may proceed from you, tending to effect improvements of this nature, calculated to strengthen the connexion between Great Britain and Lower Canada, by the promotion of the welfare and the interests of all classes of Her Majesty's subjects in the province.

At the time the summons was issued for assembling you on this day, I had every reason to believe that it would have been in my power to announce to you, as effected, those alterations which you may gather from the Resolutions of which I have spoken it is intended to effect in the composition of the executive and legislative councils; but the interruption, occasioned by the demise of his late Majesty, to the progress of public business in the Imperial Parliament, and the prospect of its early dissolution, have prevented the Ministers of the Crown from at once perfecting the measures they have in contemplation. These measures, therefore, are not forsaken, but only unavoidably suspended for a season, and I trust I shall, at no very distant period, be enabled to appeal to the changes introduced into the two councils, as well as to other salutary arrangements, as a proof of the sincerity with which Her Majesty's Government are disposed to carry into effect the intentions they have expressed on these points.

Since the end of the last session, several local Acts have expired, and I would suggest for your consideration the expediency of renewing such of them as may have proved useful. I would, moreover, especially invite your attention to the Acts relating to the district of Saint Francis, the duration of which is limited to the end of the session of the Provisional Parliament next after the 1st of May last.

The severe distress which, in consequence of the partial or total failure of the crops, was experienced during the last winter in several parts of the province, induced me, upon the urgent representations I received on the subject, and in order to avert the approaches of famine, to grant out of the public funds that succour which the means of the suffering inhabitants were inadequate to afford. Nor did I hesitate, in the pressing emergency of the case, to assume this responsibility, encouraged by the liberality you have displayed on similar occasions. In granting, however, such assistance, security was in each case taken for the repayment of the monies so advanced, in the event of your declining to sanction the transactions. These advances amount in the whole to about 5,600, for which, as well as for the sums I have issued for the preservation of the public works on the Chambly Canal, and for the maintenance of the quarantine establishment, I trust you will see no objection to grant an indemnity. Such of the documents and vouchers connected with these several disbursements as are not already before you shall be submitted to you with as little delay as possible.

In conclusion, Gentlemen, I shall repeat my determination to adhere to those principles which I laid down for my guidance when I first addressed you. They are calculated, I conscientiously believe, to promote the real interests of the country, and to secure to all classes of Her Majesty's Canadian subjects those rights, privileges and liberties, which the spirit of the constitution was intended to impart, and which every friend to that constitution is bound to support and maintain.

— No. 30. —

COPY of a DESPATCH from the Earl of Gosford to Lord Glenelg.

(No. 87.)

My Lord,

I HAVE the honour to transmit, herewith, copies of the addresses of the Legislative Council and House of Assembly, in answer to my speech on opening the session of the Provincial Parliament, on the 18th instant, and my replies to each.

I have, &c.

Gosford.

No. 29.

Earl of Gosford to
Lord Glenelg,
18 August 1836.

Encl. in No. 29.

No. 30.

Earl of Gosford to
Lord Glenelg,
26 August 1837.

No. 1.

No. 2.

No. 3.

23 August 1837.

No. 4.

26 August 1837.

No. 30.
 Earl of Gosford to
 Lord Glenelg,
 26 August 1836.
 Encl. in No. 30.

Enclosures in No. 30.

(No. 1.)

TO his Excellency the Right Honourable *Archibald*, Earl of *Gosford*, Governor-in-Chief,
 &c. &c. &c.

May it please your Excellency,

1. We, Her Majesty's dutiful and loyal subjects, the Legislative Council of Lower Canada in Provincial Parliament assembled, beg leave to return our humble thanks for your Excellency's speech from the throne.

2. We are fully sensible of the motives which have induced Her Majesty's Government to assemble the Legislature at this unusual period; and we view with intense interest the communications which your Excellency has been desired to make, of the proceedings which have taken place since last session in the Imperial Parliament, and of the principal objects of the Resolutions therein adopted on the affairs of this country; and we assure your Excellency that we shall consider it our duty to concur in any constitutional bill to provide for the payment of arrears now due for the civil service of this Government, so as to render unnecessary the exercise of the power intended to be entrusted to your Excellency by an Act of the Imperial Parliament.

3. We have received, with unfeigned regret, the mournful intelligence of the demise of our late deservedly-beloved Monarch, and we concur with your Excellency in believing that few Kings have reigned more in the affections of their subjects than William the Fourth. The warm and lively interest he always took in every matter connected with the welfare of his Canadian subjects, cannot fail to increase their feelings of regret for his loss.

4. We observe that the accession of our present Gracious Sovereign, Queen Victoria, to the throne of the British empire, has not produced any alteration in the course that had been previously furnished for your Excellency's adoption.

5. Whatever difference of opinion may exist as to the measures which it may be desirable to adopt under the existing circumstances of the country, we are fully persuaded of the earnest desire of Her Majesty's Government to co-operate with the Legislature, in the removal of every obstacle to the beneficial working of the existing constitution, and in the correction of every defect which time and experience have developed in the laws and institutions of this province, or in the administration of the Government; and we will cordially unite with your Excellency in effecting such improvements as may be calculated to promote the welfare and interests of all classes, and thereby to strengthen the connexion subsisting between Great Britain and Lower Canada.

6. We shall give our best consideration to the local Acts which have expired, with a view to renewing such as may have proved useful, and to any bill of indemnity to cover the monies which your Excellency deemed it expedient to advance for the relief of the inhabitants who suffered last winter, by a partial or total failure of the crops; as also for the monies advanced for the preservation of the Chambly Canal, and for the maintenance of the quarantine establishment.

7. We can assure your Excellency that we are firmly convinced of your conscientious belief that the principles which you have laid down for your guidance are calculated to promote the real interests of the country, and to secure to all Her Majesty's Canadian subjects, those rights, privileges and liberties, which the spirit of the constitution was intended to impart and which all are bound to support and maintain.

8. At a time like the present, when by the secret and overt exertions of some designing and influential men, distrust and apprehension have been excited throughout various parts of the province, and disobedience and resistance to the laws are publicly inculcated, the Legislative Council think it their bounden duty again to assure your Excellency of their firm and undivided support, in every emergency, to secure the integrity of the constitution, to defend the connexion which so happily for them subsists between the mother country and this highly-favoured province; and that they will, to the utmost of their power, exercise, as they have always done, the important duties intrusted to them by the constitution, with devoted loyalty to their Sovereign, and with due regard as well to the interest of the empire at large, as to the welfare of the province, and that they will most cordially co-operate with your Excellency in all measures calculated to maintain and perpetuate the peace, happiness, and prosperity of all classes of Her Majesty's subjects.

(No. 2.)

TO his Excellency the Right Honourable *Archibald*, Earl of *Gosford*, Baron *Worlingham* of *Beccles*, in the county of *Suffolk*, Captain-General and Governor-in-Chief in and over the Provinces of *Lower Canada* and *Upper Canada*, Vice-Admiral of the same, and one of Her Majesty's Most Honourable Privy Council, &c. &c.

May it please your Excellency,

We, Her Majesty's faithful and loyal subjects, the Commons of Lower Canada in Provincial Parliament assembled, humbly thank your Excellency for your speech from the throne at the opening of the present Session. We assure your Excellency that at whatever season we may be called upon to perform the duties intrusted to us by the people of the province, no personal inconvenience will prevent our labouring, as our first and most important occupation, to secure the liberties and happiness of our fellow-subjects; to remove the evils which have pressed, and still continue in a more aggravated form, to press, upon

upon them, and to protect them against the system which has corrupted the provincial Government, and has been sufficiently powerful not only to cause the mother country to refuse all justice to the people with regard to their demands and ours for the improvement of their political institutions, and for the reform of abuses, but to urge the highest metropolitan authorities, who ought to be just and protecting, to acts of violence, to a violation of the most sacred and best established rights of the Canadian people of this Legislature, and to the destruction of the very foundations of the Government. We are, then, bound by our duty frankly to declare to your Excellency, under the solemn circumstances in which we are placed, and after full and calm deliberation, that since the time when we were last called to meet in Provincial Parliament, we have seen in the conduct and proceedings of the metropolitan government and of the colonial administration towards this country nothing which could re-establish in the people the confidence and affection which the long and fatal experience of the past almost destroyed; but that, on the contrary, every recent event has tended to efface what remained of these feelings, and to consolidate, in opposition to the liberties, interests and wishes of the people, the colonial oligarchy factiously combined against them, and the hitherto unbridled and uncontrolled sway of the colonial ministers in Downing-street.

The avowal which it has pleased your Excellency to make to us, that the disposition of the authorities and of Parliament with regard to us, and the oppressive and unconstitutional measures which have been the result, are the consequences of the recommendations made by certain pretended authorities, known by the name of the Royal Commissioners, has convinced us of the correctness of the opinions we have heretofore expressed with regard to this commission, which, constituted and acting under no law, and without regard to law, and bound beforehand by its instructions to the partial views and narrow policy of the British Ministry in the government of the colonies, could not possibly co-operate in doing justice to the inhabitants of this province, and in establishing their institutions, their liberties, and their prospects for the future, on the solid basis of their wishes and their wants, as well as on the principles of the constitution. We were, therefore, in no wise astonished at discovering in the productions of this pretended commission nothing but preconceived opinions, prejudices at variance with its mission and its duty, ideas of government founded on data utterly foreign to the country, or at finding it fomenting division and national distinctions, forgetful of constitutional principles, calumniating the provincial representation, and practising deception towards this House and the people. We are bound especially to notice in the reports in question, as far as they have come to our knowledge, one essential and paramount contradiction which pervades every part of them, and forms their essence. It is, that while they admit the reality of the greater portion of the abuses and grievances of which we have complained, the Commissioners do not recommend their removal, and the destruction of the causes which had produced them, but an act of aggression against this House which has denounced them, and the absolute destruction of the representative government in this province, by the illegal and violent spoliation of the public monies of the people by the Ministers or by the Parliament; whereas it was the duty of the commission, and of the mother country, to assist this House in the entire removal of these evils, and in rendering their recurrence impossible, by re-constituting the second branch of the Legislature by means of the elective principle, by repealing all laws and privileges unjustly obtained, and by ensuring the exercise of the powers and legitimate control of this House over the internal affairs of the province, and over all matters relative to its territory and the wants of its inhabitants, and more especially over the public revenue raised in it.

These remarks will render unnecessary a portion of those which we might have been led to make on the series of Resolutions spoken of by your Excellency, and which being proposed by Lord John Russell, one of the Ministers of the Crown, were adopted by the two Houses of the Parliament of the United Kingdom. We perceive in this measure, on the one hand, a formal and total refusal of the reforms and improvements demanded by this House and by the people; and, on the other, an abuse of the powers of Parliament for the purpose of destroying by force the laws and constitution of the province, of violating with regard to us the most sacred and solemn engagements, and of thereby establishing irremediably, on the ruin of our liberties, and in the place of the legitimate, efficient, and constitutional control which this House, and the people through it, have a right to exercise over all the branches of the executive government, corruption and intrigue, the pillage of the revenue, the seizure of the best resources of the country by the colonial functionaries and their dependants, the domination and ascendancy of the few, and the oppression and servitude of the mass of the inhabitants of this province, without distinction of class or of origin.

It is our duty, therefore, to tell the mother country, that if she carries the spirit of these Resolutions into effect in the government of British America, and of this province in particular, her supremacy therein will no longer depend upon the feelings of affection, of duty, and of mutual interest, which would best secure it, but on physical and material force, an element dangerous to the governing party, at the same time that it subjects the governed to a degree of uncertainty as to their future existence and their dearest interests, which is scarcely to be found under the most absolute governments of civilized Europe. And we had humbly believed it impossible that this state of permanent jeopardy, of hatred and of division, could be knowingly perpetuated by England on the American Continent; and that the liberty and welfare of every portion of the empire were too dear to the independent body of the English people, to allow them to prefer maintaining, in favour of the

No. 30.

Earl of Gosford to
Lord Glenelg,
26 August 1836.

Encl. in No. 30.

No. 30.

Earl of Gosford to
Lord Glenelg,
26 August 1837,

Encl. in No. 30.

functionaries accused by the people of this province, the system which has been hitherto its bane.

If, even before the opening of the present session, we had been individually undeceived in this fond hope by public report; if we had little expectation that a sudden change in the councils of the empire should place us at once in possession of the benefits of the constitutive reforms which we had declared to be essential, and such as would alone be sufficient, it was still natural that we should most anxiously look forward to our being called together in Parliament; because it was at least to be supposed that most important reforms had been effected in the administration of the government, and that others were speedily to follow them. We have learned with fresh regret, from your Excellency's speech, that no such reform has been effected, or will be so at any near and determinate period, notwithstanding the so-often-repeated pledges of the Government. Your Excellency has been pleased to allude distantly to the improvement of the composition of the Legislative and Executive Councils of this province. With regard to the Executive Council, we shall here forbear any painful reflections on the unmodified existence of that body, after it had been so solemnly repudiated by your Excellency in the name of the Crown, and on its co-operation with the other portions of the provincial Executive in a system of premeditated coercion to effect the overthrow of the laws and constitution; of incrimination, persecution, and arbitrary removals from office, directed against the mass of the people who remain faithful to the true principles of the British constitution, and who have manifested their attachment to their assailed liberties. We further represent, that the present Executive having, instead of performing its promises of justice, and of the removal of abuses and grievances, entered upon the dangerous and slippery path which has been the ruin of preceding administrations, and having utterly alienated from it the affection of an important portion of those of Her Majesty's subjects most devoted to the liberty and welfare of the country, in order to bestow, with partiality, its confidence and that of the Government on those only who flatter it, no longer possesses in the person of its chief, or in those of its other members, the capability of effecting the reforms indispensably necessary as preliminaries to any arrangement between the Government of the mother country and the colony, in a just, equitable, and impartial manner, adapted to satisfy this House and the people, and more especially to insure between the several branches of the Legislature that co-operation and that uniformity of general views which we persist in believing to be absolutely requisite. We should have hoped that, as a pledge of the sincerity of the Government, the Legislative Council would have been so remodelled as to enable us to ascertain up to what point it had been rendered capable of legislating conformably with the wishes and wants of the people, and to act according to the conclusion to which we might have come on this important subject. This essential reform having been omitted, we are bound to declare, that our duty towards the people by whom we are sent here imperiously requires us to follow, under existing circumstances, the course adopted by us in our address of the 30th September 1836: we therefore persist therein, as well as in all the declarations and demands therein contained. The reforms which your Excellency announces as having been delayed, will nevertheless, if effected in a spirit of justice and harmony, become a powerful motive with us for examining whether the Legislative Council, in its present form of constitution, could even for a time co-operate with us in a system of legislation conformable to the interests of the people, and of thereby ascertaining whether it shall have been so remodelled as to induce us to manifest confidence in Her Majesty's Government.

In our efforts to remove the evils which have pressed upon our country, we have had recourse to none but constitutional means, founded on the most approved and best recognised principles. We have it so much at heart to see the Government once more deserve the public confidence, that, to assist it in attaining that confidence, we should recoil before no sacrifice but that of the liberties or of the honour of the people. We have given proof of this disposition, even of late, whenever we have been able to entertain a hope that we were thereby aiding to advance the prosperity of the country; but we declare that, in the present conjuncture, we have not been able to derive from your Excellency's speech, or from any other source, any motive for departing, even momentarily, from our determination to withhold the supplies until the grievances of the country are redressed.

Your Excellency acknowledges that the chief object for which we are now convened is to afford us an opportunity, by granting the supplies, of preventing their being violently taken by an Act of the Imperial Parliament, founded on the resolutions already adopted. In the absence of any other motive for thus recurring to our authority than the tardy consideration of the character of those resolutions, as well as of the Act of which they might form the basis, Her Majesty's Government might, we humbly conceive, have recollected that those resolutions are not our work, that we had already fully deliberated on the demand made to us by your Excellency, and that while we have not before us any Act, or even any hope which can promise a mitigation of the evils under which the people are suffering, we should not be justifiable in placing in the hands of hostile powers the means of aggravating and perpetuating those evils.

There could exist, then, no considerations but such as might be dictated by a servile fear, foreign to our mandate, and derogatory to the character of the people, to induce us to be wanting to our duty in the present instance, by ratifying the violation of the rights of our constituents and of this House by the British authorities, and by taking on ourselves the responsibility of the consequences which might result from it. We leave this responsibility to those who have assumed it, and, strong in the justice of our cause, we rely, as

we

we heretofore have done, on Providence, on the public and private virtues of all classes of the people, on their constancy, their perseverance, and their attachment to the principles of order and liberty, which, following their example, we have unceasingly endeavoured to maintain.

In thus expressing our wish that a commencement of reform had tended to re-establish confidence, we cannot have been misunderstood as to the motives which actuate us. We repeat, nevertheless, that we shall regard all administrative measures whatsoever as insufficient permanently and effectively to insure the peace, security, and happiness of the province; and that the essential and constitutive reforms which we have demanded, and especially the application of the elective principle to the Legislative Council; the repeal of all undue privileges and monopolies, and of injurious laws passed in England; the free exercise of the right and privileges of this Legislature, and of this House in particular, and the establishment of a popular and responsible government, are the only means by which the advantages hereinbefore mentioned can be insured, or the political connexion with Great Britain rendered beneficial to the people of Canada.

It is, therefore, our ardent wish that the resolutions adopted by the two Houses of Parliament may be rescinded, as attaching the rights and liberties of this province, as being of a nature to perpetuate bad government, corruption, and abuse of power therein, and as rendering more just and legitimate the disaffection and opposition of the people. If this return on the part of the Government of the mother country to what we consider its duty towards this colony, should take place under the reign of Her Most Gracious Majesty Queen Victoria, we are unable to express to your Excellency how warmly we should congratulate ourselves on having persevered in claiming justice for the people, notwithstanding the peculiar obstacles and difficulties which have tended to deter us.

The special and local subjects pointed out by your Excellency, and in particular the advances of public money made to relieve the distress in certain parts of the province, and for other purposes, will form the subjects of our deliberations as soon as circumstances will permit, and whenever we shall be no longer prevented from considering them.

(signed) *L. J. Papineau*,
Speaker of the House of Assembly.

House of Assembly, }
Quebec, Friday, 25 August 1837. }

(No. 3.)

Mr. Speaker, and Gentlemen of the Legislative Council,

In returning you my thanks for this address, I cannot avoid expressing to you the perfect satisfaction I feel at knowing that my endeavours to effect such improvements as may promote and perpetuate the peace, happiness, and prosperity of all classes of Her Majesty's Canadian subjects, will meet with your zealous co-operation and support.

The attempts to which you refer that have been made to sow distrust and apprehension in the public mind, and to inculcate disobedience and resistance to the laws, while they cannot fail to excite feelings of the deepest regret, make it the duty of all who have the good of the province at heart, to lay aside, in such a conjuncture as the present, all minor considerations, and to strive to combine the energies, talents, and patriotism of the country, in one common effort, to avert the calamities of internal discord—the inevitable result of such attempts—and to place the province in a position to realize those advantages which, under Divine Providence, are so readily within her reach.

Castle of St. Lewis, }
Quebec, 23 August 1837. }

(No. 4.)

Mr. Speaker, and Gentlemen of the House of Assembly,

The address which you have just presented to me I shall lose no time in transmitting for the information of Her Majesty's Government. I cannot, however, refrain from expressing the deep concern and regret which I experience at learning from it that you persist in your determination to deprive the country of the benefits of domestic legislation, until all the demands you have urged shall have been granted; demands which it is not in the power of the Executive Government to grant, and which, on being submitted, at your request, to the judgment of the highest authorities of the empire, they have solemnly declared it is inexpedient to grant.

This voluntary and continued abandonment of your functions as one branch of the Legislature, notwithstanding the assurance you have received from the high authorities to whom you have appealed that improvements will be made in the Executive and Legislative Councils, while it daily increases the evils under which the province labours, is at the same time a virtual annihilation of the constitution under which that Legislature derives its existence.

Being thus unhappily denied that assistance which I had hoped to receive from the representatives of the people for relieving the country from its pressing difficulties, it only remains for me to assure you that I shall exercise, to the best of my judgment, the powers vested in me as the representative of our Sovereign, for the preservation of the rights, and the advancement of the interests and welfare of all classes of Her Majesty's Canadian subjects.

Castle of St. Lewis, }
Quebec, 26 August 1837. }

No. 30.

Earl of Gosford to
Lord Glenelg,
26 August 1837.

Encl. in No. 30.

No. 31.

Earl of Gosford to
Lord Glenelg,
30 August 1837.

— No. 31. —

COPY of a DESPATCH from the Earl of *Gosford* to Lord *Glenelg*.

(No. 89.)

Castle of St. Lewis, Quebec,

30 August 1837.

My Lord,

HAVING already put you in possession of the speech with which, on the 18th instant, I opened the Provincial Parliament, as well as of the addresses in answer thereto from the two Chambers, with my replies to each, I have now the honour to inform your Lordship, that immediately after the delivery of my reply to the address of the Assembly, on the 26th instant, I prorogued the Parliament by proclamation, perceiving that no useful end could be answered by continuing the session, as the Assembly adhered to the determination expressed in their address of September last of not granting the arrears and supplies required by the Government, and of abstaining from the transaction of public business until all the demands set forth in that address shall have been granted.

I shall confine the present communication to a statement of the proceedings that occurred in the two Houses during the nine days they were in session.

Friday, 18 August.—The members of both Houses took the oath of allegiance to the Queen, prescribed by the Act 31 Geo. 3, c. 31.

In the Legislative Council a committee of five was, as usual, appointed by ballot, to prepare an address in answer to my speech, consisting of the Hon. Messrs. Cuthbert, Debartzch, Stewart, Joliette, and De Rocheblave. A committee of privileges, and a sub-committee to peruse and perfect the journals of the Council, were also named.

In the Assembly, after the return of the House from the bar of the Legislative Council, Mr. Gagy, one of the members for the county of Sherbrooke, moved for leave to bring in a bill to continue the Acts relating to the judicature of the district of St. Francis, whose duration was limited to the end of the session next after the 1st of May last; but on motion of Mr. Morin, the consideration of the question was deferred, upon a division of 61 to 15, until that part of my speech which related to this subject should have been taken into consideration. A bill for better insuring the freedom of elections, by the removal of troops from places of election, was then introduced and read a first time; the House resolved to go into committee to take into consideration the state of the province, and, after the Speaker had reported my speech, it was referred to the same committee, and not, as usual, to a special committee, to prepare an answer. The House then went into committee and adjourned.

Saturday, 19th.—The Council passed the usual resolution providing for the payment out of their contingent expenses, of the postage of letters, &c., addressed to the members during the session.

A similar resolution was passed in the Assembly, where it was also resolved, that all petitions of a private nature received by the House during the session should lie on the table until otherwise ordered. They then went into committee on the state of the province and on the speech, and, after some time spent therein, the committee rose, reported progress, and obtained leave to sit again on Monday.

Monday, 21st.—In the Council, the committee appointed to prepare an answer to my speech, reported a draft of an address, which was referred to a committee of the whole House, who reported progress and obtained leave to sit again.

In the Assembly, Mr. Gagy moved for the discharge of the order referring my speech to a committee of the whole House, and that it be referred to a special committee of five members to prepare the draft of an answer; this motion was lost upon a division of 68 to 10, and the House went into committee on the state of the province and on the speech, and, after obtaining leave to sit again, adjourned to the next day.

Tuesday, 22d.—The Council passed their address (a copy of which accompanied my despatch of the 26th instant, No. 87) in answer to the speech, after amendments to the 2d and 5th paragraphs had been moved and lost, and the 8th unsuccessfully objected to, but no amendment to it proposed. Protests were, however, afterwards entered to this, as well as to the second paragraph, by Messrs. D. B. Viger and F. X. Malhiot.

In the Assembly the committee of the whole House still continued their deliberations on the state of the province and on the speech.

Wednesday,

Wednesday, 23d.—The Council presented to me their answer to the speech, and received my reply, a copy of which has been forwarded to your Lordship in my despatch of the 26th instant. They then appointed a committee to draw up an address of condolence to the Queen on the death of his late Majesty, and of congratulation on her accession to the throne, and one of condolence to the Queen Dowager. A committee was also named to consider whether any and what amendments should be made to the Acts authorizing the issue of certificates and licences for retailing spirituous liquors. An address was then voted to me to institute an inquiry into the state of the notarial offices throughout the province, with a view to ascertain how far the duties of the said profession have been discharged conformable to law. This address was presented to me a day or two after, and, as it was necessary that I should be advised by the law officers of the Crown, to whom the question has been referred, whether I had the power to enforce the inquiry, I replied that I would take it into consideration.

The Assembly named a special committee to point out a proper person to fill the situation of serjeant-at-arms. I may here remark that the situation was not vacant, it having been filled up by me during the recess on the death of the late incumbent, as reported in my despatch of the 18th ultimo, No. 75. To the same committee was referred your Lordship's despatch of the 10th of February 1836, No. 50, relative to the appointment of the law-clerk, which was laid before the House in September last; nothing, however, has resulted from the labours of this committee. The House then went into committee on the state of the province and on my speech, and adjourned after reporting progress.

Thursday, 24th.—The addresses of condolence and congratulation to the Queen, and of condolence to the Queen Dowager, were adopted by the Council, and an address voted to me, requesting their transmission to England. In pursuance of the intention announced in my speech, I laid before the Council copies of the resolutions of the two Houses of the Imperial Parliament on Canada Affairs.

In the Assembly the consideration of the state of the province, and of the speech, was continued in a committee of the whole House.

Friday, 25th.—The Council presented their addresses to the Queen and Queen Dowager, which have been transmitted to your Lordship.

On this day the committee of the House of Assembly reported the draft of an address in answer to my speech, and obtained leave to sit again next day. Mr. Morin moved that the question of concurrence be put separately on each paragraph of the address, whereupon Mr. Andrew Stuart, one of the members for the Upper Town of Quebec, moved, in amendment, to substitute the following resolution: viz. "In the present state of this province it is the duty of this House, in so far as depends upon it, to proceed to provide for the most pressing wants of the province and the support of Her Majesty's Government." This motion was negatived on a division of 63 to 13. Mr. Stuart then moved to substitute for the address the following resolution; viz. "It is the duty of this House to maintain its fidelity to the Crown, and to support the connexion of this province with the United Kingdom of Great Britain and Ireland, using at the same time all constitutional means for the removal of the obstacles which have hitherto retarded the advancement and prosperity of the province, and for securing to Her Majesty's subjects therein a better and more efficient government than they now have." Mr. Morin, however, moved the previous question, which was carried on a division of 62 to 15. These two resolutions, I am informed, were moved in committee, as amendments to the draft of the address, and were both met with a direct negative, and rejected; though your Lordship will perceive that in the House the latter was got rid of by moving the previous question. Mr. Stuart again moved, in amendment to the main motion, that the draft of the address reported by the committee of the whole House be recommitted, which was negatived on a division of 58 to 19. Mr. Joseph A. Taschereau, one of the members for the county of Beauce, then made a motion to substitute for the address reported by the committee the one of which the inclosed is a copy, which was lost on a division of 59 to 18, and Mr. Morin's original motion was carried by 46 to 31, those who voted for Mr. Taschereau's address having joined the minority on the previous divisions, which minority voted against both addresses. The address reported from the committee of the whole House was then agreed to, paragraph by paragraph, upon divisions of 48 to 31, and presented to me the next day.

Saturday, 26th.—The Council moved an address to me for their contingencies,

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amounting to 3,000 £., but before the same was presented, I had prorogued the Parliament.

As no Bill was passed by either House, a question has been stirred whether the late meeting of the provincial parliament is to be considered a session or not. The matter has been referred by me for the opinion of the law-officers of the Crown, whose report I have not yet received. Should it be held to be a session, the acts relating to the judicature of the district of St. Francis will have expired, and that portion of the province which formed the district will again be included within the districts of Montreal and Three Rivers. The question will probably meet with a judicial decision in the superior tribunals here, in an appeal from some of the proceedings that may have taken place in the Court of King's Bench at St. Francis since the prorogation.

I have, &c.

(signed) Gosford.

Enclosure in No. 31.

Enclosure in No. 31. To His Excellency the Right Hon. Archibald Earl of *Gosford*, Baron Worlingham of Beccles, in the county of Suffolk, Captain-general and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Vice-Admiral of the same, and one of Her Majesty's Most Hon. Privy Council, &c. &c. &c.

May it please your Excellency,

We, Her Majesty's faithful and loyal subjects the commons of Lower Canada, in provincial parliament assembled, humbly thank your Excellency for your speech from the Throne at the opening of the present session. We assure your Excellency, that at whatever season we may be called upon to perform the duties delegated to us by the people of this province, we shall ever regard as nothing the personal inconvenience to which we may be subjected; more especially, when we may be called upon to deliberate on the great interests of the country under circumstances as grave and critical as the present, when your Excellency has to communicate to us the proceedings which have taken place in the Imperial Parliament since we were last called together, and the resolutions which have been adopted therein with regard to the affairs of this province.

We ask permission humbly to represent to your Excellency, that the course which this House has deemed it expedient to adopt during the last four years, with regard to the existing financial difficulties, has been founded on the best recognised principles of the constitution, and adopted with the view of obtaining the removal of numerous abuses and grievances against which this house and the people whom it represents have long remonstrated in vain, and the greater portion of which have been recognised as existing, and have been the subjects of promises and declarations which had raised a hope that they would be speedily redressed. It was, therefore, with deep regret and at the same time with surprise, that we heard your Excellency announce to us that Her Majesty's Ministers, before adopting any measures for the removal of the numerous abuses aforesaid, had "resolved to propose to the House of Commons, that a vote of credit should be passed for the advance, by way of loan from British funds, of the sum required for the payment of the arrears due to the public officers," with the view that this sum should be thereafter drawn from the provincial chest by virtue of an Act of the Imperial Parliament, if this House should not, by granting the requisite supplies, obviate the necessity of any further action on the part of the Imperial Parliament.

We should have believed, that under a government which, like that of the mother country, founds its fairest claim to the consideration of other nations, on its respect for the natural and political rights of the subject, would have felt that, before proceeding to meet by measures of so extreme a nature, and so destructive of the constitutional rights of a whole people, the refusal of this House to provide for the expenses of the civil government of the province, it would be right to remove the main causes of this refusal, founded as it was on the existence of open and acknowledged abuses and grievances. We should think we were deceiving your Excellency and the Imperial Government, if we did not frankly and firmly declare, that whatever be our anxiety to forward the work of conciliation, we regard these measures as an attack upon the property of the people, and upon the most sacred right of the House, and as tending greatly to affect the security of Her Majesty's loyal subjects in this province, and their confidence in Her Government; and, therefore, as constituting a serious obstacle to the arrangement of the existing difficulties, and as tending to weaken the ties which bind this colony to the mother country.

We ask leave further to represent to your Excellency, that when this House, during the last session of the provincial parliament, came to the determination to suspend its deliberations, it was influenced chiefly by the conviction, grounded on the result of the preceding session, that it could not with advantage to the country enter into the labours and incur the expenses of a regular session, in conjunction with the present Legislative Council, whose anterior proceedings breathed nothing but factious opposition to the wishes, wants and interests of the people. The two Houses of the Imperial Parliament, by declaring (as your Excellency tells us they did), "that it is expedient to adopt measures for securing to that branch

branch of the legislature a greater degree of public confidence," have come forward to corroborate the opinion which the House held and still holds with regard to the Legislative Council. And we cannot refrain from here expressing our astonishment that this significant and solemn declaration, that one of the branches of the legislature appointed by the Crown is not so constituted as to enjoy the confidence of the public, should be communicated to us at the same time with an imperative demand for supplies; and while her Majesty's Government has done nothing towards securing to that branch a higher degree of public confidence. The supplies are, as we humbly conceive, granted by the Commons solely in consideration of their entire confidence in the Government; and this confidence cannot exist while the Government leaves untouched a legislative body which it openly acknowledges not to possess the confidence of the public. But the astonishment produced by such a declaration, accompanied by such a demand, must be succeeded by a more painful feeling, when we are told that our rejection of this demand will be followed by the taking of the provincial monies under the authority of an Act of the Imperial Parliament. The people of this province would thus be punished by the violation of the most important of their rights for the fault of the executive authorities, local or imperial, in abandoning the spirit of the Constitutional Act, by declining so to constitute the Legislative Council as to secure public confidence in it, and by persisting in maintaining the present vicious composition of that body, notwithstanding the complaints of this House and the people it represents, reiterated during many years.

Conduct like this on the part of the Imperial authorities would destroy in us for ever all confidence and all assurance in our present state of political existence, if we were not sustained by the hope that the two Houses of the Imperial Parliament and Her Majesty's Government have been induced to adopt it by a forced interpretation of the terms in which this House, during the last session, declared its determination to suspend its deliberations. If this interruption has not been seized with avidity, and for the purpose of using it as a pretext for coercive measures towards the colony,—if a more precise and clear declaration of the meaning of this House can yet induce the Imperial authorities to prevent the effects of their misunderstanding, we declare that we have always held, and that we still hold, that the only means of insuring to the country, in a permanent and satisfactory manner, the advantages of representative government, would be to apply the elective principle to the Legislative Council; and that we cannot, therefore, recommend the adoption of any other means. But if, in despite of the unhappy experience of half a century, and, above all, of the vain attempt recently made to reform that body, in pursuance of the solemn recommendations of the Canada Committee of 1823, Her Majesty's Government still retains the hope of being able so to remodel it as to enable it to answer the purposes of its institution, and to secure public confidence in it, it is for Her Majesty's Government to hasten to have recourse to this measure and to put it to the proof. It will then remain for this House to consider whether the reform thus effected is such as to lead to the hope of a system of legislation useful and honourable to the country, which is the sole object this House has sought to attain in demanding the application of the elective principle to the Legislative Council of this province.

We now proceed to represent to your Excellency that the declaration made by the two Houses of the Imperial Parliament, on the subject of the Legislative Council of this province, is calculated to revive the hope that that branch of the legislature will, at a period perhaps not far distant, but which is left indeterminate, be so composed as to lead the country to hope that, for a time at least, a regular and beneficial system of legislation may exist; but as this declaration neither changes nor weakens the reasons which, at the last session, induced this House to suspend its deliberations, we find ourselves under the painful necessity of adhering to the determination we then came to, of suspending our deliberation until the consummation of the reforms (and that of the Legislative Council above all) announced by and in the name of the Imperial authorities, which, by reviving confidence and restoring harmony in the legislature, will give hope of the speedy disappearance of the numerous subjects of complaint enumerated in the several resolutions and addresses of this House in former sessions. We therefore assure your Excellency, that the work of reform once thus begun on the part of the Government, this House will be ready to receive, consider, and, if possible, to agree to the several proposals which Her Majesty's Government may have to make to it for the final arrangement of the financial and other difficulties which have so long existed in this province; and also to recommence the regular course of its deliberations, which have only been interrupted in consequence of the conviction which the House then felt and still feels, that no other result could now attend them than that of burdening the people with considerable expense without any of the great advantages which they have a right to expect from a session of the legislature.

We ask leave yet further to represent to your Excellency, that although we do not make particular mention of the Executive Council, because we consider the reform of that body as intimately connected with that of the Legislative Council, we do not consider this reform as less essential to the good government of the province, or less adapted to forward the work of conciliation. Certain recent proceedings of the Executive, which appear to be only the prelude to divers others, lead us to regret that the head of the local administration should not, under existing circumstances, have been surrounded by men possessing the confidence of the public, and uniting with great experience in business a perfect knowledge of the feelings and disposition of the people, and who, as such, would not have advised the head of the executive to acts which can only increase the difficulties already existing.

The particular and local objects pointed out by your Excellency, and, more especially,

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30 August 1837.

Enclosure in No. 31.

Enclosure in No. 31. the advances of public money made to relieve the distress in certain parts of the province, and for other purposes, shall be the subject of our deliberations as soon as the circumstances of the province will permit.

— No. 32. —

No. 32.

Lord Glenelg to the
Earl of Gosford,
6 October 1837.

COPY of a DESPATCH from Lord *Glenelg* to the Earl of *Gosford*.

(No 274.)

My Lord,

Downing-street, 6 October 1837.

I HAD the honour to receive on the 2d instant your Lordship's despatch, No. 87, of the 26th August, enclosing copies of the addresses which were presented to you by the Legislative Council and House of Assembly of Lower Canada in reply to the speech with which you opened the session, and also copies of your answers to those addresses. I received, at the same time, your subsequent despatch, No. 89, of the 30th August, containing a summary of the proceedings of both branches of the provincial legislature, from the commencement of the session to its close, and reporting that you had been under the necessity of proroguing the provincial parliament.

In answer, I have to acquaint your Lordship that I fully approve of your conduct on this occasion.

I shall take an early opportunity of addressing you more at length on the present position of affairs in the province, than I am able to do by this opportunity.

I have, &c.

(signed) *Glenelg*.

— No. 33. —

No. 33.

Earl of Gosford to
Lord Glenelg,
2 September 1837.

EXTRACT of a DESPATCH from the Earl of *Gosford* to Lord *Glenelg*, dated Castle St. Lewis, 2 Sept. 1837.

"You will receive an official despatch from me, dated 30th August 1837, (No. 89.), giving you an account of the proceedings of the legislature here from the commencement of its meeting on the 18th August, to its prorogation on the 26th of the same month. It is evident that the Papineau faction are not to be satisfied with any concession that does not place them in a more favourable position to carry into effect their ulterior objects, namely, the separation of this country from England, and the establishment of a republican form of government. Mr. Papineau has gone such lengths that he must now persevere in the course he has taken, or submit to a defeat which would annihilate all his power and influence; the plan he pursues clearly shows, that he is determined to do all he can to obtain his ends. The violent and unjustifiable attacks which have been made by the ultra tory party upon the French Canadians generally have caused an animosity, which Mr. Papineau does not fail to turn to account, and I attribute much of his influence over so many members in the Assembly to this cause. Mr. Papineau has emissaries in various directions, and though I do not conceive there is any ground for alarm, still great caution and vigilance is required to guard against the evils that might follow from the attempts making to excite discontent among the people by the most abominable misrepresentations. The executive requires more power, and under my present impression, I am disposed to think that you may be under the necessity of suspending the constitution. It is with feelings of deep regret I state this, but duty compels me to communicate it to you.

— No. 34. —

No. 34.

Earl of Gosford to
Lord Glenelg,
8 September 1837.

EXTRACTS of a DESPATCH from the Earl of *Gosford* to Lord *Glenelg* (marked private and confidential), dated Castle St. Lewis, 8 September 1837.

“OF late the meetings of the Papineau party have been less frequent; one object in having them in so many districts, previous to the meeting of the legislature, was, no doubt, to influence the votes in the Assembly, and it had this effect. The plan now seems to be to keep the country in a state of excitement by means of a convention, or, as it is termed, a central committee, which meet regularly in Montreal, and at which Mr. Papineau and his party make a point, as I am informed, of attending. It is stated that all orders and instructions to the local committees throughout the province emanate from that body, who profess to publish its proceedings in the *Vindicator* and *Minerve*; and though these proceedings have evidently a treasonable tendency, they have not as yet reached such a point as to make it wise or judicious for the executive to institute legal proceedings against any of the parties concerned. The Attorney-general is now in Montreal, and I have strongly urged upon him the necessity of keeping a good lookout, and I am determined to have recourse to a court of law when an occasion occurs to justify such a step, but to attempt it without a strong case might do more harm than good. The injurious effects that must result from a convention, such as I have alluded to, are obvious. Had the executive the power of suspending the Habeas Corpus it would be in a better position to meet the difficulty should the conduct of the conventionalists compel it to have recourse to more vigorous measures than the ordinary course of the law prescribes; and from the madness of their acts now, I cannot but admit that there is a possibility of my being driven to the necessity of exercising a power, that I should most gladly abstain from, if any other mode presented itself by which the designs of this party could be frustrated. However, should circumstances arise for apprehending such a crisis, it must be met by promptness, firmness, and decision; to attempt anything of a temporising character would be weak and futile. I should at once avail myself of the powers confided to me. We can now make no terms with Mr. Papineau; you must either put him down, or submit to let him put you down; there is no halting between two opinions. By at once increasing the power of the executive and suspending the constitution, you at once paralyze the designs of these mischievous men; it would establish confidence in the minds of those disposed to peace and good government, and at no distant period you might be solicited to restore the constitution to the province, under arrangements better calculated to afford satisfaction than could be accomplished by any effort or proposal in the present state of things; for, until you nullify Papineau's power, you can never be in a position to treat on any thing like fair and liberal terms with a man of his extravagant, uncompromising, destructive views, exercising, as he does, complete control over the minds of many who have been too long accustomed to be under his yoke. As I stated in former letters, I do not expect any serious commotion; at the same time, when I see so many clever unprincipled engines in action, yielding implicit obedience to the mandates of such a man as Mr. Papineau, it is impossible to set limits to the extent of mischief they may construct. The jealousy that exists between the two origins is also a powerful instrument in the hands of a convention or central committee, as before alluded to, and corresponding, as they no doubt do, with various parts of the province. The two extremes are doing incalculable mischief, and must disgust every friend to liberal measures. The feelings of the great body of the French Canadians are decidedly loyal and favourable to peace and order, and it now rests with the Government, by wise and judicious measures, to protect them from the designs of those who are now working upon their credulity by the most gross misrepresentations and contrivances. The jealousy that existed between the two races I found upon my arrival here had reached such a height, that from the first I considered it one of the principal obstacles to a satisfactory adjustment of difficulties. I must, however, observe, that this has greatly diminished; and I can reckon as friends to my administration a large proportion of the reasonable and liberal men of the province. The ultras on both sides are struggling for ascendancy, and my determined opposition to the views of both in this respect, perhaps may in some measure

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Earl of Gosford to
Lord Glenelg,
8 September 1837.

account for their hostility to me, but I cannot relinquish my principles on this point. It is a matter of great regret to me that I could not at an earlier period have given a practical proof of my political views, and by acts to show my determination to redress certain grievances, which evidently called for it; however it is too late now to talk of this. I was obliged to share with others in submitting to circumstances over which there was no control. My situation now is not an enviable one, and, on every private consideration, I shall gladly relinquish it. It is probable, and indeed reasonable, that if matters here should come to extremities, you would prefer to have a man in my place who had not so avowedly declared his wish to carry on his government on the principle of conciliation. In stating this, be assured at the same time, that I do not shrink from the difficulties which surround me, nor would I wish in any way to embarrass the Administration. A public despatch accompanies this, which enters more into official details.

I have, &c.

(signed) *Gosford.*

— No. 35. —

COPY of a DESPATCH from the Earl of Gosford to Lord Glenelg.

(No. 90.)

No. 35.
Earl of Gosford to
Lord Glenelg,
9 September 1837.

My Lord,

Castle of St. Lewis, Quebec, 9 Sept. 1837.

As I have not heard for the last three or four weeks that any public meetings have taken place similar to those alluded to in the first part of my despatch of the 11th of July last, No. 69, I begin to conclude that this mode of agitation has been abandoned for the present. I understand that since its commencement in the early part of May last, upon the Ministerial Resolutions becoming known in this country, there have been held in different parts of the province about 23 meetings, styled, by those who convened them, "Anti-coercion meetings." Of these by far the greater number took place in the district of Montreal, five only being held in the district of Quebec, two in that of Three Rivers, and one in the district of St. Francis.

The principal objects of the resolutions passed at these meetings were to condemn the Ministerial measures and the policy of the home and local administration; to recommend smuggling, and the adoption of other measures for cutting off the sources of and diminishing the revenue; to excite to disaffection and resistance towards the imperial and provincial authorities; to suggest the formation of central and permanent committees for political purposes in each county, and of a general convention for the whole province; and finally, to create a feeling which would lead to the severance of the connexion between the colony and the parent state, by representing that justice was no longer to be expected from the latter, but only tyranny and oppression, and by disseminating doctrines and employing language and banners of a seditious, inflammatory, and disloyal character. For the correctness of this statement I would refer your Lordship to what passed at the meetings held in the counties of Richelieu, Montreal, Verchères, St. Hyacinthe, and Saguenay, as reported in the English organ of this party, the "Vindicator" newspaper of the 12th, 16th, and 26th of May, and 9th of June last, and of the 1st ultimo.

The great difficulty of procuring strict legal evidence for bringing home, in a court of justice, to the parties concerned the charges that might be founded on the proceedings had at these meetings, added to the questionable policy of political prosecutions, especially at a time like the present, when the minds of a portion of the jury summoned to try the offence would probably be poisoned by the misrepresentations and efforts of the disaffected, have as yet prevented any resort to the courts of law for the punishment of those implicated in such proceedings. Indeed, in two recent instances, where the Attorney-general preferred bills of indictment in the Court of King's Bench at Montreal, one against a Dr. Duchesnois, for publicly tearing and treating with contempt the proclamation issued by me on the 15th of June last, and another against certain individuals in the county of the Two Mountains, for a conspiracy to drive out of the county, by means of threats and acts of violence, several inhabitants, because they

they held opposite political opinions; the bills have been ignored by the grand jury, in the face of the strongest evidence, and after the Attorney-general had, at the request of their foreman, (Mr. L. G. Brown, of Beauharnois,) laid before the panel most positive legal authority in support of both. Enclosure No. 1 is the Attorney-general's report to me of this matter.

In these circumstances, and as it appeared from some of the public prints that many persons holding commissions from the Crown as justices of the peace or officers of militia, attended these meetings, I directed my civil secretary to write to the most prominent of those who were reported to have taken an active part by moving and seconding resolutions, inquiring whether they were present, and if so, whether they had any explanation to offer in their justification. With a few exceptions all have replied, admitting that they were present, and either denying the right of the governor to demand an explanation from them, or giving none that was satisfactory. It consequently became my irksome duty as head of the executive government here to prevent the weight and influence conferred by its authority from being thus abused; and accordingly I have had to dismiss up to the present time 18 magistrates and 35 militia officers, nine of whom were also in the commission of the peace. In these dismissals are comprised seven members of the Assembly, including the Speaker, Mr. Papineau, who was major of the 3d battalion of militia in the county of Montreal, and had assisted at five or six of the meetings. I enclose for your Lordship's information a copy of the letter addressed to this gentleman, and of his reply thereto, on the tone and style of which I need make no comment.

Although there has been, I am happy to say, no recurrence of the outrages reported in the latter part of my despatch of the 11th of July last, and although agitation by means of public meetings appears to have ceased, yet the efforts of those who are seeking, as it would seem, to disturb the existing order of things continue unabated, and show themselves in seditious and inflammatory publications and in the resolutions and acts of the committees that have been organized in one or two counties in the district of Montreal, where the proceedings are of a private and exclusive character, though some of them are occasionally made public through the organs of the party, the "Minerve" and "Vindicator" newspapers. The principal of these committees, styled the Central and Permanent Committee of the county of Montreal, holds its sittings weekly in the city of Montreal, and the objects of it, as set forth in the 13th resolution passed at the meeting of St. Laurent (county of Montreal) on the 15th of May, are "to watch over the political interests of the country,—to correspond with the other counties in this and the sister province,—to adopt such measures as may from time to time appear necessary to protect the rights of the people and advance the cause of good government in these colonies; and to carry into execution, as far as lies in the power of the committee, the various recommendations, suggestions and determinations agreed to at the meeting." What these recommendations and determinations are your Lordship will find on reference to the "Vindicator" of the 16th of May; and for the names of those who compose this committee I must beg to refer you to that of the 19th of the same month.

There have been no steps yet taken, as far as I can learn, for establishing a general convention beyond the recommendation contained in the resolutions adopted at the different meetings for organizing one, and the naming, in such resolutions, delegates to attend when the time and place of assembling shall be fixed.

That this state of affairs seriously augments the difficulties of carrying on the government, and operates most injuriously upon the welfare and prosperity of the province must be quite obvious. With the exception of some of the counties in the district of Montreal, I believe the mass of the population is contented and loyal, and that the attempts that are making to shake its allegiance and to create confusion will be unsuccessful.

Before closing this communication I should mention that there have been six meetings held, including those in the cities of Quebec and Montreal, of which I have already apprized your Lordship, where resolutions were passed of an opposite character to those I have above noticed.

I have, &c.

(signed) Gosford.

No. 35.

Earl of Gosford to
Lord Glenelg,
9 September 1837.

Enclosure No. 1,
7 September 1837.

Enclosure No. 2,
12 August 1837.

Enclosure No. 3.
14 August 1837.

CORRESPONDENCE RELATIVE TO THE

(No. 1.)

No. 35.

Earl of Gosford to
Lord Glenelg,
9 September 1837.

Enclosures
in No. 35.

Enclosures in No. 35.

In Court, Thursday, 6 o'clock.

My Lord,

I WRITE from Court, and have only time pending a trial to say that the grand jury have just come into Court with a bill of indictment against Dr. Duchesnois, for tearing the proclamation of June last, as not found; the same fate has attended the bill against the individuals at St. Eustache, for a conspiracy to drive certain of the inhabitants of different political sentiments from the county, and both in the teeth of the strongest possible evidence, and after I had laid before them, at the request of the foreman (Mr. Brown of Beauharnois), most positive legal authority in support of both.

I am, &c.

(signed) C. R. Ogden.

N. B.—This letter was received on Saturday, 9th September 1837.

(No. 2.)

Sir,

Castle St. Louis, Quebec, 12 August 1837.

THE attention of the Governor-in-Chief having lately been called to a report, contained in the "Vindicator" newspaper of the 16th of May last, of the proceedings of a meeting held on the previous day at St. Laurent, in which you are stated to have taken an active part, and where resolutions were passed, some of which distinctly recommend a violation of the laws, I am directed by his Excellency to call upon you, as one holding a commission from the Crown, to state whether you were present at that meeting and concurred in the resolutions there passed, and if so, I am to inquire whether you have any explanation to offer in this matter.

I have, &c.

The Honourable L. J. Papineau,
Major, 3d Battalion Montreal Militia. }

(signed) S. Walcott, Civil Secretary.

(No. 3.)

Monsieur,

Montreal, 14 Août 1837.

La prétension du Gouverneur de m'interroger sur ma conduite à St. Laurent, le 15 de Mai dernier, est une impertinence que je repousse par le mépris et par le silence.

Je ne prends donc la plume que pour dire au Gouverneur, qu'il est faux, comme dans son ignorance il le peut croire, ou comme du moins il le dit par votre lettre du 12 de ce mois, que quelques unes des résolutions adoptées dans l'Assemblée du Comté de Montreal, tenue à St. Laurent le 15 de Mai dernier, recommandent la violation de lois.

Votre obéissant serviteur,

S. Walcott, Secrétaire Civil.

(signé) L. J. Papineau.

— No. 36. —

COPY of a DESPATCH from the Earl of Gosford to Lord Glenelg.

(No. 104.)

No. 36.

Earl of Gosford to
Lord Glenelg,
5 October 1837.

My Lord,

Castle of St. Lewis, Quebec, 5 Oct. 1837.

In my despatch of the 9th ult., No. 90, I informed your Lordship that the Attorney-general had preferred bills of indictment against a Dr. Duchesnois for publicly tearing and treating with contempt the proclamation I had issued on the 15th of June, appealing to the good sense and loyal feeling of the population, and against certain individuals in the county of Two Mountains, for a conspiracy to drive out of the county, by means of threats and acts of violence, several of the inhabitants, because they held opposite political opinions, and that such bills had been ignored by the grand jury at Montreal, in the face of the strongest evidence supporting them. I have now the honour to acquaint you, that on hearing that the Attorney-general had, after the loss of the bills, immediately filed *ex-officio* informations against the same individuals for the same offences, I called upon him for a statement of the reasons which induced him to adopt that course. He has accordingly transmitted to me the enclosed report, with the several affidavits appended thereto, which I forward for your information, as it will put you in possession of the state of feeling in that part of the country, and the occurrences which led to the proceedings in question, more fully and distinctly than the brief outline contained in my despatch of the 9th ultimo can have done.

I have, &c.

(signed) Gosford.

2 October 1837.

Enclosure in No. 36.

No. 36.

Earl of Gosford to
Lord Glenelg,
5 October 1837.

Encl. in No. 36.

To his Excellency the Right Honourable Archibald Earl of Gosford, Baron Worlingham, of Beccles, in the county of Suffolk, Captain-general and Governor-in-chief in and over the Provinces of Upper and Lower Canada, Vice-admiral of the same, &c. &c. &c.

May it please your Excellency,

IN obedience to the commands of your Excellency, conveyed to me by your Excellency's communication of the day of September last, I avail myself of the first interval in my official occupations to acquaint your Excellency with the reasons which influenced me in filing *ex-officio* informations in Her Majesty's Court of Queen's Bench, for the district of Montreal, against certain parties who had been previously discharged from similar accusations by the grand jury of that district.

It is hardly necessary for me to recall to the recollection of your Excellency the disturbances excited in different parts of the district of Montreal during the months of June and August, which though exaggerated by the representations of those whose object it was to aggravate the evil, were still considered of sufficient importance to attract the attention of Her Majesty's Government in this province. Meetings had been held in various counties under the superintendence of those who are styled the leaders of the patriotic or Canadian party, at which banners and symbols and other paraphernalia of political incendiarism had been exhibited. Speeches of an inflammatory nature, appealing to the passions and to national prejudices, had been addressed to a large section of the population of this province; certain measures of the Imperial Parliament had been misrepresented and prejudged, the intentions of Her Majesty's Administration calumniated; a system of resistance or evasion of the laws indicated and strenuously recommended; and, indeed, every expedient adopted which could create alarm and distrust or infuse a spirit of insubordination and disloyalty into the breasts of the otherwise peaceably disposed inhabitants of that district.

These machinations were but partially successful. In the county of Two Mountains, however, where many settlers of British origin are interspersed among the Canadian population, an attempt was made to carry the intrigues of the patriotic leaders into practical effect. A system of proscription, based upon national distinctions and political prejudices was adopted and pursued. The British inhabitants and those loyal Canadians who adhered to the political principles of their British fellow-subjects, perceived on a sudden that all intercourse between them and those of their neighbours who professed a different political opinion was studiously denied; all interchange of the ordinary offices or the common necessities of life had abruptly terminated, they had incurred the penalty of social excommunication. Nor was this process of political propagandism of a negative character only; depositions which were transmitted to me in my official capacity, copies of which I have the honour herewith to forward for your Excellency's perusal, will sufficiently show how soon this vexatious estrangement was succeeded by acts of unequivocal aggression. Mobs assembled by night, and with shouts of intimidation and threats of personal violence endeavoured to terrify the loyal inhabitants into an adoption of their principles. The house of one Jean Baptiste Cleval, a captain of militia, and a man distinguished for his loyalty in that part of the district, was fired into, to the imminent danger of the lives of his family. Another person of the same name, one Toussaint Cheval, who from his opposition to the political principles of the conspirators had rendered himself equally obnoxious, was assaulted in his own house and compelled to fly from his home and family, and to secrete himself for some days in the neighbouring province of Upper Canada. The British subjects (settlers) were also subjected to a series of harassing annoyances, their fences were broken down, their cattle driven astray, their horses cropped and otherwise disfigured, and a variety of petty injuries inflicted, which it would be unimportant to advert to, were it not for the irritation they were calculated to inspire and the retaliatory spirit they had already provoked; for it will be shown by the depositions to which I have already had the honour to refer your Excellency, that the sympathies of the British inhabitants in the neighbouring settlements were aroused, a feeling of exasperation had been engendered, and they had manifested a determination, if the wrongs of their fellow-countrymen remained unredressed by the law, to take the law into their own hands.

Her Majesty's Government in this province immediately took measures to suppress this system of illegal coercion. It had been ostentatiously asserted by the partizans of the patriotic faction that it was not in the power of the Government to check these outrages, or punish the offenders, and that the people of the county of Two Mountains would resist the apprehension of the delinquents to the utmost extremity. The police, however, of the district, after having encountered some opposition, was found sufficient to arrest the principal disturbers of the peace in that county, who were put under bail to appear and answer to any charges which might be preferred against them at the ensuing criminal term of the Court of Queen's Bench for the district.

During the progress of these disturbances it had been deemed expedient by your Excellency to issue a proclamation to the people of this province, appealing to the good sense and loyal feeling of the population, and exhorting all men to reject the insidious councils of a few designing individuals, and to maintain the cause of order and good government.

This proclamation, at the instigation of those against whose intrigues it was directed, was treated by some few individuals in the district of Montreal with marked indignity, the

declared

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declared object of which was to bring the Government into contempt, and to induce a belief among the uninformed and inconsiderate that the government of the province was not legally competent to punish this or any other insult which might be offered to its authority.

At Varennes, a parish in the vicinity of the city of Montreal, this proclamation, which had been attached to the church door by Alexis Pinet, esq., an active and loyal Canadian magistrate, was torn down at the conclusion of Divine service, and in the presence of the departing congregation, by Eugene Napoleon Duchesnois, esq., a physician, residing in that parish, with many expressions of contumely and contempt; the station occupied by this individual in society, and the influence of his example, seriously aggravated the offence, while the attacks which had been subsequently made upon the reputation and motives of Mr. Pinet, and the injury which had been attempted to be inflicted on his business, rendered it, in my humble apprehension, indispensable that the Government should interfere for the vindication of that respect to which it is entitled, and to show that it is neither too timid nor too weak to protect a loyal subject in the legitimate and manly discharge of a public duty.

It became also a matter of importance to quiet the alarm and appease the irritation of the British population throughout the province, and to assure them that Her Majesty's Government possessed the power and determination to secure them from outrage of whatever character and from whatever quarter arising; and further, by a firm and decided application of any and every remedy sanctioned by the constitution, to deter any who might possibly entertain systematized or ulterior designs, by demonstrating that the laws which protect all classes of the subjects of Her Majesty in this colony, and maintain its connexion with the British empire, are neither to be evaded with success or violated with impunity.

At the meeting of the Court of King's Bench for the district of Montreal, in the term of August and September, my attention was naturally directed to the composition of the grand jury assembled for the district, and from my personal acquaintance with the political opinions of the majority of those attending, I could not but entertain doubts as to the success of any indictments for political offences which it might be my duty to lay before them; still, whatever might have been my private opinions, I did not feel myself authorized by any premature proceeding by *ex-officio* information to impute to the grand jury of that district, by implication or inference, a possible dereliction from the duty they were called upon to perform.

Indictments were in due course laid before that body against Eugene Napoleon Duchesnois, for unlawfully and seditiously destroying a proclamation, and against Isidore Lauzon, Lesite Dupras, Francois Darnes and M. Danes, for a conspiracy to drive one Toussaint Cheval out of this province, and having in fact compelled him to fly from the province; a third bill of indictment against Ls. Bourignon, Luc Lefevre, Francois Labelle and Jacques Massie, for a conspiracy to compel divers inhabitants of the county of Two Mountains to quit the province, was also prepared, but reserved until I was made acquainted with the fate of the two first abovementioned.

The evidence by which these indictments were supported is of an unimpeachable character; the depositions of the witnesses are herewith laid before your Excellency; to remove any doubts which might possibly arise as to the strict legality of the proceedings, I made it my duty to submit and explain to the grand jury the legal authorities which governed the prosecutions; the two bills thus laid before the grand jury were returned "No bill." Under these circumstances I felt it incumbent upon me to exercise that power with which the Crown is invested, and which is entrusted to the discretion of the Crown officers in this province. I could not permit a belief to get abroad that offences so pregnant with future evil could escape unpunished, from any indifference or connivance in the administration of justice; I knew that the projected triumphant return of these offenders to their respective parishes, in defiance of the law, would have been a signal for renewed disturbances; I foresaw that an ambiguous inactivity or mistaken leniency would have been instantly misconstrued into irresolution or fear, and in filing *ex officio* informations for misdemeanors in all the above cases, I felt supported by the firm conviction that I was performing a duty and assuming a responsibility demanded at this moment by the general interests of Her Majesty's Government, and of the people of Lower Canada.

Quebec, 2 October 1837.

(signed) C. R. Ogden, Att.-Gen.

Montreal.

Robert Hall, of the parish of St. Scholastique, yeoman, after being duly sworn on the Holy Evangelists, deposes and saith, as follows:

I have lived with my family in the said parish of St. Scholastique for two years past. I have always lived on the best terms with my neighbours, the Canadians; but since political meetings have been held in that and the adjoining parishes of St. Benoit and others, the Canadians have ceased to have any communication with the inhabitants of English extraction. After certain committees were organized and appointed in this parish, depredations were committed almost nightly on the said English inhabitants, as also some Scotch inhabitants, and on the Canadians who do not belong to the patriot's party. On the night of the 28th of June last, the door of my house was broken open by that party, and one of the windows of the house smashed to pieces with stones; one of the stones, about five pounds in weight, fell very near to some of my infant children, who slept in a bunk on the floor; part of my fences were thrown down and destroyed, and my corn-field laid open to the cattle, in which I found several heads of cattle the ensuing morning. My horses' manes and

and tails were shaved and so disfigured, as to be almost unfit for use, so much so, that when I travel with them I am universally laughed at. I had several horses belonging to Canadians grazing on my farm, and their owners were compelled, by the threats that were made to them, to take them away from me. That same party have acted in the same manner and committed similar outrages on nearly all the inhabitants who do not join their party; several have, through fear of injury being done to their persons and property, been compelled to enlist in their ranks and to sign a petition to the Congress in the United States of America, and those who still decline to join their party are threatened that their houses and barns will be burnt down. I have frequently seen, in the evening after dark, parties of about 40 or 50 men going about the cotes, the greater part carrying fire-arms, whom I am told are training for the purpose of repelling any force which might be sent from Montreal to arrest any of that party. It was reported in that part of the country on Thursday last, that a party of constables had arrived at cote St. Joseph, in the parish of St. Benoit, and I have since ascertained that fact to be true; and in the course of that afternoon, I saw a courier belonging to that party, apparently coming from St. Eustache, going from house to house, and telling the people to be ready with their guns at any time they might be called upon; and it is generally reported, that these preparations were making for the purpose of repelling the constables, who it was reported were to return and arrest three of the accused, who had not been taken; I heard it stated that same evening by Mr. Hector Barcelo, son of Jacob Barcelo, justice of the peace, residing at St. Scholastique, that he had ordered four ramrods to be made by one Belisle, a carpenter, and that they were to be ready for the ensuing morning. On Thursday last a Dr. Robertson, who was returning from Montreal and going to La Chute, having stated that 13 constables and 400 soldiers were coming to Belle Riviere to arrest some persons there, he saw that same evening several parties of men, each party consisting of five or six men, repairing to the bush or woods along the road at different stations, mostly all armed with guns, powder-horns, and shot-bags. The military force, which it was reported was on their march towards St. Scholastique, if such had been the case, would have had to pass near the bush in which the said armed parties of men had gone. It was reported the next day, and the deponent firmly believes it to be a fact, that the said parties abovementioned had no other motive for so doing than of laying in ambush to attempt to repel and intercept the said military force if it had come. I was credibly informed that some of those parties remained on the watch in the bush all night. It is my firm belief, that if any unarmed civil force was sent out to arrest any one of that party there they would be repulsed, and fired at if they offered any resistance.

Four Irishmen from the Gore, in the neighbourhood of La Chute, told me, that if their assistance was required by the inhabitants of English, Irish and Scotch extraction of St. Scholastique and St. Benoit to protect them from the ill-usage they were constantly undergoing, they would come down in a body and give them that assistance. It is my intention, and I believe it is also that of the other inhabitants who do not belong to the patriot party, to avail themselves of the offer of the said Gore inhabitants if the government of this province does not relieve us from the cruelties we have undergone and are still exposed to.

(signed) *Robert Hall.*

Sworn before me this 15 July 1837.

(signed) *P. E. Leclerc, J. P.*

John William Roberts, of St. Scholastique, saddler, being duly sworn, doth depose and say, that he lives neighbour to Robert Hall, who rents this deponent's farm, that he has read the foregoing deposition of the said Robert Hall, the facts contained in which are all true to the deponent's personal knowledge; and further, the deponent saith that, on the 29th day of June last, John Siras Hawley, another of the deponent's tenants, came to the house of deponent, and had some high words with the said Robert Hall, who told him the said Hawley, that he was a seditious firebrand among the people, and this on the subject of a petition, which it was proposed in that part of the country to send to the Congress of the United States. That the said Hawley said, that he had as much right to counsel the people to sign that petition as the tories had to coerce them. That the said Hall then told him that the said petition was of such a treasonable nature, that he would in proper time complain to the authorities of him, when the said Hawley requested and begged of the said Hall not to do so, and to have mercy on his family and character. That the deponent considers that Jacob Barcelo, esquire, justice of the peace, and Doctor Masson, also justice of the peace, the latter of St. Benoit, the former of St. Scholastique, are ringleaders of the party who commit the said outrages.

(signed) *J. W. Roberts.*

Sworn before me, at Montreal, this 15 July 1837.

(signed) *P. E. Leclerc, J. P.*

Province du Bas Canada, District de Montreal.

Eustache Cheval, ecuyer, capitaine de milice, residant à la côté du Petit Brule, en la paroisse de St. Eustache, après serment dûment prêté sur les Saint Evangiles, dépose et dit, Que depuis le printemps dernier, et plus particulièrement depuis que des assemblées pour des fins politiques se sont tenues dans la paroisse de St. Eustache, et celles de St. Benoit et St. Scholastique, qui l'avoient, certaines personnes, qui lui sont inconnues,

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auraient faites beaucoup de dommage aux habitants qui étaient opposés à eux en politique, et ce, parcequ'ils étaient fidèles et loyaux sujets de sa Majesté, et ne voulaient pas souscrire à des mesures qui ne tendaient qu'à la sedition et au bouleversement du pays; qu'on aurait tendu la crin de la queue, et la crinière de quantité de chevaux jetté des clôtures à bas, de nuit, et fait entrer les animaux dans des pièces de grain, et en outre fait faire des menaces d'incendier et brûler les propriétés, et par là mis les dits fidèles et loyaux sujets de sa Majesté (dont le déposant est du nombre) dans le danger le plus imminent, tant pour leurs personnes que leurs propriétés, et ce, à un tel degré que le déposant, ainsi que nombre d'autres, ont été forcés de veiller plusieurs nuits pour se soustraire aux dangers dont ils étaient journellement menacés: que le nommé Michel Charbonneau, habitant du même lieu, aurait informé le déposant avant hier, "Qu'à fin de vivre en paix, il avait été forcé de se joindre au parti se désignant sous le titre de parti patriotique, et pour cette fin serait allé chez Jacob Barcelo, ecuyer, J. P., à St. Scholastique, lequel juge de paix, l'aurait de suite conduit chez les nommés Joseph Beautron, dit major, et Ed. Beautron, dit major, aubergistes, et commerçants au dit lieu de St. Scholastique, où ils se seraient tous divertis, et après quoi on l'aurait reconduit parti du chemin chez lui." Que Vendredi dernier, vers les 11 heures et demie du soir, les nommés M. Charbonneau, Augustin Roehen, M. Moran, et John Oswall, tous habitants du Petit Brulé, paroisse de St. Eustache, seraient venus avertir le déposant que sa maison devait cette nuit là être attaquée ou incendiée, attendre que le déposant était un Chonzer, c'est à dire, approbateur des mesures politiques du gouvernement de cette province, et par conséquent opposé au dit parti patriotique, et se seraient offerts au déposant pour veiller avec lui; que deux d'entr'eux, Oswall et Moran, avaient leurs fusils, et le déposant s'étant armé du sien, ils se seraient tous mis à garder la maison; qu'avant de s'armer de son fusil, il fut à ses batiments, et aurait vu un homme sortir de son étable, et se sauver à travers les champs, qu'il croit sincèrement avait l'intention ou de tondre ses chevaux, ou d'incendier ses batiments, sans qu'il put l'arrêter ou le reconnaître; qu'enfin, vers minuit, un coup de fusil fut malicieusement déchargé dans une fenêtre, dans une côté de sa maison où il y avait une lumière, dont le plomb et les balles auraient pu causer la mort si quelqu'un de sa famille se fut trouvé dans la dite fenêtre, et ce, par quelques personnes malintentionnés qu'étaient cachées auprès de sa maison, et qui prirent la fuite; que durant tout ce temps sa femme et ses six enfants étaient debout dans une état d'appréhension et d'alarme continuelle; que des morceaux de vitres cassées par le coup de fusil en question auraient déchirée la peau au visage d'une de ses filles nommée Marguerite; que le déposant d'après les marques du plomb sur le mur croit que le dit fusil devait être chargé de trois balles et de quantité de petit plomb; que, vu l'obscurité, de la nuit, le déposant non plus que ses amis ne purent faire la poursuite de ces malfaiteurs; qu'environ 40 minutes après ces mêmes malfaiteurs, comme le croit le déposant furent chez Joseph Cheval, son neveu, dans la même côté, et tirèrent et déchargèrent deux coups de fusils, que le déposant auraient entendu, et par suite été informé par le dit J. Cheval, son neveu, que les dits coups de fusils avaient été déchargés à travers sa porte, et que le plomb s'était logé dans une cloison de la maison; que ce fut en conséquence de ceci que le dit M. Charbonneau se serait joint au dit "parti patriotique," ainsi que le dit J. Cheval, comme ils l'ont subséquemment déclarés au déposant, sous l'influence de la crainte, ou ils étaient tous deux qu'en ne s'y joignant pas leurs vies et leurs propriétés étaient dans une état constant de plus grand danger; que le déposant croit véritablement que sans l'interférence des autorités, tant qu'il entretiendra ses opinions politiques actuelles, ni lui ni sa famille et ses propriétés seront en suretés, mais bien exposés à être assassinés et incendiés; que le déposant croit sincèrement que les nommés J. Beautron, dit major, et Ed. Beautron, dit major sus-nommés, ainsi que le nommé J. Charon, journalier de la dite paroisse de St. Scholastique, étaient au nombre de ceux qui commirent l'attaque sur sa maison, ainsi que ci-dessus mentionnée; que le déposant, d'après des rumeurs dans la paroisse, est en crainte tant pour sa sûreté personnelle que celle de sa famille, de la part des dits Joseph Beautron, dit major, E. Beautron, dit major, et J. Charron, pourquoi le déposant requiert que les dits J. Beautron, dit major, E. Beautron, dit major, et J. Charron, soient appréhendés et tenus de donner de bonnes cautions pour leur bonne conduite future envers tout les sujets de sa Majesté et plus particulièrement envers le déposant et sa famille, et ce pendant l'espace d'une année.

(signé) E. Cheval,

Assermenté devant moi, à Montréal, ce 4 Juillet 1837.

(signé) Danl. Arnoldi, J. P.

District de Montreal.

André H. Baron, huissier, de la ville de Montréal, après serment prêté sur les Saints Evangiles, dépose et dit, Qui hier matin, il serait parti de Montréal en compagnie du nommé Joseph Godin, aussi huissier de Montréal, à la requisition du grand connétable, pour aller dans les paroisses de St. Eustache et St. Benoit, distribuer et afficher des proclamations, en date du chateau St. Louis, Quebec, 8 Juillet courant, relativement à des personnes maldisposées qui auraient déchargées des armes à feu la nuit dans les maisons des nommés Eustache Cheval et de son neveu Joseph Cheval, de la paroisse de St. Eustache; que le déposant et Godin se seraient rendus à St. Benoit et chemin faisant à St. Eustache, ou leur auraient dit que s'ils affichaient de ces proclamations à St. Benoit leurs vies seraient en danger; qu'en la dite paroisse de St. Benoit ils se seraient retirés chez un nommé Coursolle, aubergiste, ou le déposant aurait voulu laisser une des dites proclamations, qu'il le dit Coursolle

Coursolle aurait pris et jettée sur la table, disant qu'il n'en voulait point avoir, et aurait demandé au dit déposant de la part de qui il était venu, et ayant répandu, qu'il venait de la part du procureur du roi, le dit Coursolle dit, "que procureur du roi était un sacré craseur, comme l'était aussi le gouverneur;" que le dit Coursolle serait alors parti en chemine, et aurait couru chez les voisins avertir que le déposant était chez lui avec des proclamations: que le Docteur Masson, de la dite paroisse, le nommé Brazeau, aubergiste et huissier, avec six ou sept personnes, seraient arrivés à l'auberge du dit Coursolle, lorsque le dit Docteur Masson s'adressant au dit J. Godin lui aurait fait défense d'afficher aucunes des dites proclamations dans le village, car, s'il le faisait sa vie était en danger, et qu'il voulait bien mieux pour eux, déposant et Godin, de cacher leurs proclamations par rapport à leurs suretés; que le dit Masson aurait alors dit qu'il pouvait trouver 100*l.* dans la paroisse, qu'il allait lui faire une proclamation, offrant cette somme à celui qui casserait la lête du gouverneur, et que si quelqu'un la lui cassait, lui le dit Masson payerait cette somme, lorsque tous les autres se mirent à crier, Oui! Oui! que le dit Coursolle aurait alors dit qu'il tuerait le gouverneur comme il tuerait un chien, et ce, en sacrant et jurant; que le déposant aurait alors dit à Coursolle qu'il parlait bien, que s'il venait 50 hommes de troupe il se sauveraient tous, et lui, Coursolle le premier; que le dit Coursolle dit alors au déposant que si l'on envoyait 2,000 hommes des troupe pas un seul ni s'en retournerait, qu'ils se cacheraient dans les bois et les moucheraient, à quoi le Docteur Masson ajouta, ils peuvent en envoyer 5,000, et pas un seul ni s'en retournera. Le déposant leur dit alors, où est votre ammunition, à quoi ils répondirent que tout cela était chez M. Scott, à St. Eustache, les fusils, les balles, et le poudre; que dans ce moment un courier arriva à cheval au grand gallop avertir qu'il y avait cinq caliches de la ville, qui étaient arrivés à la côté St. Joseph, et que des connétables étaient venus faire des prisonniers; qu'ils se dirent tous ensemble, armons nous! et partirent aussitôt pour aller chercher leurs chevaux, pour son aller chasser les connétables; que le déposant aurait entendu une de ces personnes dire, en sa présence, que s'il rejoignait le grand connétable, il ne lui ferait pas de mal, mais le mettrait tout nud dans la montagne, et le ferait manger par les maringonns; que le déposant et Godin, par rapport aux menaces qu'en leur avaient faites, n'ont pas afficher aucunes des dites proclamations, car ils considéraient leurs vies exposées s'ils l'avaient faite; que ne considérant pas leurs vies en suretés dans cette endroit, ils en seraient partis aussitôt, et se seraient rendus à la Rivière du Chêne ou St. Eustache, à le long du chemin auraient laissés quantité des dites proclamations chez les habitants; que rendu à St. Eustache, le dit Godin aurait affiché une des dites proclamations à la porte de l'église, et ils en auraient laissées plusieurs dans le village; que dans le village il aurait appris qu'une troupe de personnes à cheval de St. Benoit s'était rendue à la traverse ou était passée le grand connétable avec un prisonnier, mais deux heures après qu'il était traversé; que deux hommes, d'extraction Anglaise, seraient venus à leur poursuite, à cheval, leur dire de se trater, qu'un grand nombre de personnes était allé à la poursuite des connétables, et que s'ils les rejoignaient leurs vies étaient en danger; qu'eux mêmes étaient dans le plus grand alarme, et dirent au déposant qu'ils craignaient fort, qu'ils ne savaient pas comment ils passeraient la nuit, et qu'ils craignaient qu'on incendiat leurs maisons, et attentat à leurs vies; que chez une nommé Englis, aubergiste, entre St. Benoit et St. Eustache, Madame Englis, dit qui, dans la crainte où elle était, elle allait envoyer ses deux filles coucher au village, de peur que leur maison ne faut attaquer cette nuit, et que des personnes d'extraction Anglaise devaient se ressembler ce soir-là afin de se garder.

(signé) A. H. Barron,

Assermenté devant moi, à Montréal, ce 14 Juillet 1837.

(signé) John Molson, J. P.

Joseph Godin, huissier, de Montréal, après serment prêté sur les Saints Evangiles, depose et dit, Qu'il était hier avec le nommé Andre H. Barron, lorsqu'il est allé à St. Benoit pour afficher et distribuer des proclamations; qu'il a entendu la lecture de la deposition du dit Barron, ci-annexée; que les faits y mentionnés sont la vérité, étant tout à la connaissance du déposant, et ne dit rien de plus.

(signé) Jos. Godin,

Assermenté devant moi, à Montréal, ce 14 Juillet 1837.

(signé) John Molson, J. P.

Montreal.

Eusèbe Sené, charetier, de Montréal, après serment duement prêté sur les Saints Evangiles, depose et dit. Que hier matin, vers les deux heures, il partit de Montreal pour conduire les nommés Godin et Barron à St. Benoit, où ils allaient distribuer des proclamations du gouverneur, et aussi pout en afficher; que, rendu à St. Benoit, ils arrêtèrent chez le nommé Coursolle, aubergiste dans le village; que les dits Godin et Barron voulurent lui donner une des dites proclamations, qu'il ne voulait point recevoir; que peu de temps après, sept ou huit personnes vinrent chez Coursolle, parmi lesquelles se trouvaient le Docteur Masson et son frère, qui defendirent à Barron et Godin d'afficher leurs proclamations dans le village, car s'ils le faisaient leurs vies seraient au but; que l'un des dits Masson dit qu'il allait faire une proclamation offrant 100*l.* à celui qui tuerait le gouverneur; que pendant ce temps un jeune homme arriva au village à cheval, de la côté St. Joseph, disant qu'il y avait là six baillifs qui étaient venus faire des prisonniers, qu'aussitôt ils partirent tous pour aller

chercher

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chercher leurs chevaux par aller à la dite côte St. Joseph, chasser les dits bailiffs; que le nommé Brazeau aurait dit en partant, qu'il allait cossier la guêpe au grand connétable, Mr. Delisle; que les dits Baron et Godin, en conséquence de ces menaces, n'auraient pas osé afficher aucune des dites proclamations; que le déposant croit véritablement que s'ils eussent affiché les dites proclamations les personnes susmentionnées les auraient battus et peut-être attenté à leurs vies; que le déposant n'a pas tout entendu ce qui s'est dit obligé de soigner son cheval.

(signé) ^{se} Eusebe + Sené,
marque.

Assermenté devant moi à Montréal, ce 14 Juillet 1837.

(signé) Austin Cuvillier, J. P.

Montréal.

Amable Loisel, huissier de la Cité de Montréal, après serment prêté sur les Saints Evangiles, dépose et dit, Que hier matin vers les deux heures il serait parti de Montréal en compagnie du grand connétable Mr. Benjamin Delisle, pour aller à St. Benoit, apprehender quatre individus nommés François Labelle, Louis Bourgignon, Luc Lefevre et Jacques Massie, de la dite paroisse, accusés de conspiration, et se seraient rendus là entre neuf et dix heures du matin, qu'ils seraient d'abord allés chez le dit Jacques Massie, où ils furent informés qu'il le dit Jacques Massie était allé à St. Eustache, de là ils furent chez le dit Louis Bourgignon, où on les informa qu'il était allé faire ferrer une paire de roues à la petite rivière de St. Eustache, de là ils s'informèrent de la résidence du dit Luc Lefevre, mais personne ne voulut leur dire où c'était, qu'ensuite ils seraient allés chez le dit François Labelle, qu'ils trouverent chez lui, et le firent prisonnier; qu'après avoir été fait prisonnier, il aurait dit qu'il ne donnerait pas de cautions à moins que ce ne fut dans sa propre maison; le grand connétable lui dit alors, qu'il n'y avait pas de magistrat présent, mais qu'il le conduirait chez le magistrat où il lui plairait d'aller, ce à quoi le dit Labelle se serait refusé; que la femme du dit Labelle leur aurait alors dit, qu'ils les connétables ne l'emmèneraient point, que les gens de la paroisse s'y opposeraient; que le dit Labelle à-peu-près dans ce temps auraient pris la fuite, mais aurait bientôt été rejoint que dans ce moment ils s'étaient rassemblés une dizaine d'hommes qui allaient et couraient de maison et maison pour obtenir des forces, afin de repousser les connétables, dont il était du nombre, comme le suppose le déposant, d'après leur manière d'agir; que la femme du dit Labelle se serait adressée en criant aux personnes, qui continuaient à s'assembler, et leur dit, "Vous autres qui disiez que vous ne souffriez pas qu'on vous prit, allez vous laisser emmener mon mari?" Qu'ils seraient alors parti avec leur prisonnier Labelle, et rendu à environ dix arpents de la maison, ils virent plusieurs hommes, qui venaient à travers les champs, armés de perches et de batons à leur poursuite; que leur chemin était à chaque instant intercepté par des personnes qui leur barraient le chemin, et ne leur donnaient que lorsqu'on leur présentaient des pistolets, après quoi ils criaient au dit Labelle, "Ne sois pas inquiet! ne sois pas inquiet!" Que le déposant ainsi que ceux qui accompagnaient le grand connétable, auraient, pour le soustraire aux dangers dont ils étaient menacés, halés leurs chevaux et se seraient rendu en haut du village de la rivière du Chêne, où ils s'embarquèrent tous en barc, avec tout l'empressement possible, pour traverser; qu'après avoir fait environ un arpent sur l'eau, un grand nombre de personnes à cheval seraient arrivés à la traverse (en leur criant d'arrêter) à toute bride au nombre d'environ une vingtaine, où plus qu'heureusement pour le déposant et ceux qui l'accompagnaient, il ne se trouvait pas d'autre barc du côté de la rivière où étaient ces gens, car le déposant croit sincèrement d'après leurs gestes et dispositions violentes, que non seulement ils leurs auraient ôtés leur prisonnier, mais aussi qu'on les auraient maltraités et peut-être attentés à leurs vies.

Que le déposant d'après tout ce qui s'est passé en cette occasion, croit véritablement que le même nombre de personnes qu'ils étaient alors, savoir, six en comptant les charretiers, seraient incapables d'arrêter les autres accusés qui ne sont pas encore apprehendés; que le déposant ne croit pas non plus qu'on puisse le faire, quand même vingt ou trente connétables y seraient envoyés; et que si toutefois un tel nombre y étaient envoyé leurs vies seraient exposées au plus grand des dangers; que chemin faisant le déposant aurait demandé au dit Labelle pourquoi ils en agissaient ainsi; à qui il fit réponse, que Mr. Papineau leur avait dit de faire des menaces et des cruautés à ceux qui n'étaient pas patriots jusqu'à ce qu'ils vinrent joindre les rangs patriotiques; que le déposant s'était pareillement informé pourquoi on avait jetté la grange du curé Paquin de St. Eustache par terre; il dit pour réponse que Mr. Papineau leur avait dit que les curés étaient trop riches et n'avaient pas besoin de terres et avaient trop de dîmes.

(signed) *Amable Loisel*.

Assermenté devant moi à Montréal ce 14 Juillet 1837.

(signed) P. E. Leclerc, J. P.

Montréal.

Joseph Aymond, commerçant, et François Poitra, huissier, tous deux de Montréal, après serment dument prêté sur les Saints Evangiles, déposent et disent, Qu'ils auraient hier matin le 13 du courant, accompagnés le grand connétable à St. Benoit, pour arrêter les nommés François

François Labelle, Louis Bourgnon, Luc Lefevre, et Jacques Massie, accusés de conspiration, qu'ils se seraient rendus là entre les neuf et dix heures, et sont d'abord allés chez les dits Bourgnon et Massie, qui n'étaient pas chez eux; qu'ils ne purent découvrir la résidence du dit Lefevre; qu'ils seraient allés chez le dit François Labelle; qu'ils auraient appréhendé, l'ayant trouvé chez lui, qui, après être arrêté, aurait essayé de se sauver, mais aurait aussitôt été réjoint par l'un des déposants (Aymond); que pendant qu'ils étaient chez Labelle, des gens courraient de maison en maison pour rassembler les voisins; qu'au moment de partir avec leur prisonnier, la femme du dit Labelle se serait adressée aux gens qui s'étaient rassemblés, en leur disant, "Vous autres qui ne deviez pas vous laisser prendre, pourquoi laissez vous emmener mon mari par ses gens-là?" ou quelques mots à cet effet: qu'au moment où ils partirent, on voyait venir le monde, armés de hâches, perches, et batons de toutes parts, en grand nombre, qui venait vers eux à travers les champs, leur criant d'arrêter, et disant aussi au dit Labelle de ne pas être inquiet, qu'il Labelle n'irait pas loin; que leur chemin fut souvent intercepté par des gens qui venaient à leur rencontre pour les arrêter, ainsi armés, et leur faisant des menaces; que dans une espace d'environ de trois lieues qu'ils avaient à faire avant d'arriver à la rivière, il y avait du monde presque tout le long du chemin, et le grand connétable fut forcé d'exhiber des armes pour les intimider et les empêcher de fondre sur eux pour lui ôter leur prisonnier; que rendu à la traverse au haut du village de St. Eustache, ils s'embarquèrent en barc pour traverser, mais avaient à peine fait un demi arpent qu'une quinzaine d'hommes à cheval arrivèrent à toute bride au bord de l'eau, leur criant d'arrêter; qu'autre ces quinze personnes nombre d'autres venaient à toute bride à cheval dans le chemin, rejoindre ceux qui étaient rendus à la traverse; qu'il n'y avait point de barc de leur côté de la rivière pour les mettre à même de traverser et les rejoindre, car sans cela ils croient, véritablement qu'ils leur auraient ôté leur prisonnier, et les auraient battus et maltraités, au point de mettre leurs vies en danger; que les déposants croient véritablement d'après ce qu'ils ont vu hier, de la manière dont les habitants sont disposés, qu'une force de cent connétables seraient incapables d'arrêter les dits Bourgnon, Lefevre et Massie, qui n'ont pas été appréhendés.

(signed) *Joseph + Aymond,
François Poitra.*

Assermenté devant moi à Montreal ce 14 Juillet 1837.

(signed) *Th. Lemay, J. P.*

District de Montréal, Comté du Lac, des Deux Montagnes.

LE huit Juillet, de l'année mil huit cent trente sept, est comparu personnellement par devant moi F. E. Globenski, ecuyer, un des juges de paix de sa Majeste, pour le dit district, *Augustin Rochon*, cultivateur, résidant à la côté du Petit Brulé en la paroisse de St. Eustache, lequel, après serment prêté sur les Saints Evangiles, dépose et dit, Que la nuit dernière vers onze heures du soir une troupe de gens déguisé au nombre d'environ vingt cinq ou trente, ont parcourir partie de la dite côté du Petit Brulé, criant et vociférant, et qu'ils auraient jetté un bois dans sa porte; que ce matin il a appris qu'une grange en construction appartenant à Messire Paquin, curé, aurait été démolie et le comble abattu; qu'on l'a prévenu qu'on voulait faire sauter sa maison par la poudre, attendu qu'elle ne pouvait être détruite autrement étant batie en pierre, et qu'on allait faucher son grain; que d'après ce qui se passe journellement, il craint que ces menaces soient mises à exécution, et requiert protection des autorités competentes. Et ne sachant signer, à fait sa marque.

sa
Augustin + Rochon,
marque.

Assermenté par devant moi les jours et au susdits,

(signé) *F. E. Globenski, J. P.*

District de Montréal, Comté du Lac, des Deux Montagnes.

SAMEDI le huit Juillet, de l'année mil huit cent trente sept, est comparu personnellement par devant moi F. E. Globenski, ecuyer, un des juges de paix de sa Majesté pour le dit district, *Michel Rochon*, tanneur, résidant au sud du Petit Brulé, en la paroisse St. Benoit, lequel après serment prêté sur les Saints Evangiles, dépose et dit, Que hier sept Juillet courant il aurait en affaire en la demeure, des nommés Joseph et Edouard Beutron, dit major, commerçants, à la Belle Rivière, paroisse de Ste. Scholastique, qu'il aurait trouvé l'un d'eux à son magasin, savoir, Edouard et les nommés Hawley, Firmin, Carron, et autres; que le dit Edouard Beutron lui aurait demandé s'il était patriote; sur la réponse affirmative, il lui aurait dit que cela était bon; qu'il allait lui montrer ses habits de nuits; qu'il lui presenta un bonnet rouge, garnis en papier, et lui aurait dit qu'il se servait de ce bonnet, et se charbonnait pour se promener la nuit; qu'il s'était rencontré avec les gens de son parti la nuit du six ou sept du présent, qu'ils étaient environ cent personnes; qu'avec eux il avait parcouru le village de Ste. Scholastique et ses environs; que les nommés Noël Duchesneau, marchand, et Alexandre Fournier, son cousin, et les nommés Fougats et autres, dont il a oublié les noms, étaient dans le bande, et qu'il était tellement défiguré que les gens de son parti ne pouvaient pas le reconnaître, qu'il avait tant crié, qu'il avait peine à parler, et qui la nuit suivante ils allaient jouer; qu'en effet dans la nuit en question une troupe

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troupe de gens ont passé auprès de sa maison; qu'ils étaient travestis de différentes manières, et criaient "Rochon, tu dors tranquillement avec ta femme; si tu étais chouayain on ne te laisserais pas si tranquille;" et à son réveil il a appris qu'on avait défait et abattu le comble d'une grange en construction appartenant à Messire Paquin, prêtre; que le nommé François Danis lui aurait dit qu'il ne se faisait pas connaître pour patriote il allait passer un coup de grêle chez lui d'une douzaine de décharges de fusils. Marguerite Roy, son épouse, était présente à ce propos, et ne sachant signer, a fait sa marque.

sa
Michel + Rochon,
marque.

Assermenté devant moi à Ste. Eustache les jour et au susdits,
(signé) F. E. Globenski, J. P.

District de Montréal.

AUJOURD'HUI le quatorze Juillet, de l'année mil huit cent trent sept, est comparu personnellement par devant moi, F. E. Globenski, ecuyer, un des juges à paix de sa Majesté pour le dit district, Joseph Beauchamp Charpentier, résidant dans la paroisse St. Eustache, dans le comté du Lac des Deux Montagnes, district susdit, lequel, après serment prêté sur les Saints Evangiles, dépose et dit que Vendredi, le sept du courant, il était occupé avec d'autres personnes à travailler à une grande en charpente dans une prairie appartenante à Messire Paquin, prêtre et curé de Sainte Eustache; qu'elle était alors levée, le comble posé, et à demi entourée; que vers quatre heures et demie de l'après midi du dit jour, deux individus à lui inconnus seraient venus les voir travailler et leur auraient dit qu'on se proposait de laisser achever la grange en question, et d'attendre que la récolte soit dedans pur y mettre le feu; qu'un nommé Sabourin occupé à leur aider, aurait tenue le même langage; que Samedi le huit, il s'en retournait avec son frère Jacques pour continuer à travailler à la dite grange; qu'ils rencontrèrent un pauvre qui leur dit qu'elle avait été abattu, qu'il avait couché près de cette place, et qu'il y avait en un train terrible toute la nuit; qu'arrive sur les lieux ils trouvèrent l'entourage de la grange défait, plusieurs planches cassées et le comble abattu et brisé, et ne dit rien de plus.

sa
(signed) Joseph + Beauchamp.
marque.

Assermenté devant moi les jours et au susdits.
(signed) F. E. Globenski, J. P.

District of Montreal.

On the 15th day of July, in the year of our Lord 1837, personally appeared before me, one of his Majesty's Justices of the Peace for the said district, John Oswald, of the parish of St. Eustache, in the county of the Two Mountains, in the district of Montreal, yeoman, being duly sworn, deposeseth and saith, that on the 7th inst., being Friday, at about 11 o'clock at night, he deponent being then watching his property, being kept in continual fear of its being damaged, through reports and menaces, heard loud screaming towards Belle Rivière, occasioned by a mob, and that screaming was used by the said mob at every Old Country man's house and Canadian loyalist's, hurraing for Papineau and the patriots; said mob crossed the river and directed their steps towards a barn belonging to Messire Paquin, curate of St. Eustache, which barn was that night demolished, the screaming continuing for some time when at that barn: said deponent further says, that when the said mob passed his premises, he distinguished the voice of one Jean Baptiste Onalette, jun., of Petit Brulé, labourer, and that a dog was then following him said Onalette, which dog belongs to Onalette's father, where he resides.

(signed) John Oswald.
Sworn before me at St. Eustache, the year and day aforesaid.
(signed) F. E. Globenski, J. P.

District of Montreal.

On the 15th day of July, in the year of our Lord 1837, personally appeared before me, one of his Majesty's Justices of the Peace for the said district, William M'Geoch, of the parish of St. Eustache, in the county of Two Mountains, in the district aforesaid, yeoman, being duly sworn, deposeseth and saith, that on the 7th of July inst., being Friday, about 11 o'clock at night, being watching his property, which was by reports and menaces threatened to be destroyed that night, he deponent heard loud screamings towards Belle Rivière, occasioned by a mob which crossed the little river in the Petit Brulé, and directed its steps towards a barn belonging to the Rev. Messire Paquin, curate of St. Eustache, which barn was at same time demolished, apparently by same mob, by the cracking of the timber of said barn, which said deponent distinctly heard, it being about six acres from his own premises, and further said deponent saith not.

(signed) William M'Geoch.
Sworn before me at St. Eustache, the aforesaid year and day.
(signed) F. E. Globenski, J. P.

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Toussaint Cheval, dit St. Jacques, journalier de la paroisse de Ste. Scholastique, dans le district de Montreal, après serment prêté sur les Saints Evangiles, depose et dit, Que le dix de Juillet dernier, entre neuf et dix heures du soir, le déposant étant dans sa maison sous la paix de notre souverain Seigneur le Roi, les nommés Isidore Lauzon, journalier de la même paroisse, Lesidé Dupras, journalier de la même paroisse, François Danis, journalier de la même paroisse, et Moïse Danis, tanneur de la même paroisse, accompagné de plusieurs autres que le déposant n'a pas connu, seraient entré dans sa maison très en colère, que le dit Isidore Lauzon se serait approché du dit déposant, lui aurait porté le point sous le nez deux ou trois fois, lui disant qu'à la fait, tu a été à la Rivière du Chêne faire une deposition contre nous, tu nous a mis la corde au cou tu ne peux plus vivre parmi nous, tu peux faire ton paquet et t'en aller promptement, et que les autres personnes presentes ont fait les mêmes menaces, et que le dit Isidore Lauzon aurait aussi porté le point au visage de l'épouse du déposant, en lui disant, C'est toi qui a dit que tu avais vu Arsene Beaúsejour couper le crin de la queue du cheval, du nommé Robert, que le nommé Lesidé Dupras, ci-devant nommé, a reproché au déposant qu'il avait été à la Rivière du Chêne, signer pour avoir des troupes, et que le dit Lesidé Dupras lui aurait répondu qu'il ne s'occupait pas des troupes; que ce déposant d'après les menaces à lui fait, et ayant appris qu'il y avait des de nouveau patriotes rendu chez le nommé Joseph Beurtron, dit major, il aurait laissé la paroisse et s'en allait resider dans le Haut Canada, où il aurait demeure absent cinq jours, qu'il serait revenu à St. André, et ayant été informé que son épouse était en cherche de lui, craignant qu'il aurait été tué, il se serait rendu à une place appelée les Eboulis; que de là il aurait envoyé un de ses enfants chez lui pour donner de ses nouvelles; que son fils de retour l'aurait informé qu'il y avait encore du danger pour lui s'il retournait alors; qu'en consequence lui le déposant serait retourné dans le Haut Canada, où il aurait residé six jours, et serait revenu chez lui le septième, pendant laquelle il se serait tenu caché un jour et une nuit; et le déposant ne dit rien de plus.

Affirmé à Montréal ce cinquième jour de Septembre 1837.

(signed) J. McDonald, J. P.

(Certified)

(signed) C. R. Ogden, Att.-Gen.

District de Montréal.

Ester Leclerc, épouse de Toussaint Cheval, dit St. Jacques, de la paroisse de Ste. Scholastique, après serment prêté sur les Saints Evangiles, déposé et dit, Que le dix de Juillet dernier entre neuf et dix heures du soir, les nommés Isidore Lauzon de la même paroisse, Lesité Dupras du même lieu, Moïse Danis du même lieu, et un nommé Bersalon, son entrés chez la déposante, accompagné de plusieurs autres qu'elle n'a pas reconnu; les quatres personnes susdites paraissant bien en colère; que le dit Isidore Lauzon aurai, demandé à la déposante où était son époux, le traitant de sacré crapeau que je le déchire; c'est lui qui en est la cause que nous aurons la corde dans le cou; la déposante leur aurait demandée de laisser expliquer son epoux, et que Lauzon aurait répondu qu'il ne le permettrait pas; que le dit Lauzon aurent dit, que lui le dit Toussaint Cheval, dit St. Jacques, ne pourrait plus vivre avec eux dans la paroisse, qu'il fit son paquet et lui allouait deux heures pour s'en aller, car il n'avait que deux jours à vivre s'il restait parmi eux, et qu'en consequence le mari de la dite déposante s'est absenté de la paroisse pendant quinze jours, et lors de son retour s'est tenu caché dans sa maison pendant un jour et une nuit; et la déposante ne dit rien de plus.

Affirmé à Montréal, ce 6 Jour de Septembre 1837.

(signed) J. McDonald, J. P.

(Certified.)

(signed) C. R. Ogden, Att.-Gen.

District de Montréal.

Emelie St. Jacques, de la paroisse de Ste. Scholastique, après serment prêté sur les Saintes Evangiles, depose et dit, Que le dix de Juillet dernier, entre neuf et dix heures du soir, les nommés Isidore Lauzon du même lieu, Lesité Dupras du même lieu, Moïse Danis du même lieu, sont entrés chez la déposante accompagné de plusieurs autres qu'elle n'a pas reconnu; que le nommé Isidore Lauzon, ci haut nommé, s'adressant au père de la déposante, Toussaint Cheval, dit St. Jacques, lui dit; "Dépêche toi de faire ton paquet, car tu n'a pas deux jours de vie;" et qu'en consequence de ces menaces le père de la déposante s'est absenté de chez lui pendant quinze jours, et à son retour s'est tenu caché pendant un jour et une nuit; la déposante ne dit rien plus.

Affirmé à Montréal, ce 6 Jour de Septembre 1837.

(signed) John McDonald, J. P.

(Certified.)

(signed) C. R. Ogden, Att.-Gen.

No. 36.
Earl of Gosford to
Lord Glenelg,
5 October 1837.

Enclo. in No. 36.

District of Montreal.

Duncan M'Coll, of the Parish of St. Benoit, in the District of Montreal, Labourer, being duly sworn, deposeth, and saith as follows:—

I HAVE resided for about 18 years in the said parish; my father, *Duncan M'Coll*, my brothers, *Alexander*, *John* and *Donald*, have also resided there during the same period; we have always lived in the greatest peace and harmony with our Canadian neighbours, until the time when a certain political meeting took place at St. Scholastique, a neighbouring parish, about a month ago. Since that meeting, our Canadian neighbours have ceased to have any communication with us, and with one *Robert Walker* and *William Starkie*, also residing in the said parish of St. Benoit, and indeed with all the inhabitants of British origin residing in our vicinity, and this because we and they, the said inhabitants of British origin, do not belong to the same political party with them, and those who call themselves patriots. My brother *Donald* is a blacksmith; he formerly, and up to the time of the above-mentioned meeting, had very good custom from the Canadian farmers; since that meeting he has had only two jobs from two Canadians, and these two, for having employed him, have had the manes and tails of their horses shaved. This is an operation frequently performed by those calling themselves patriots upon the horses of those who do not belong to their party, and which renders the animals useless for six months, and disfigures them for nearly a year and a-half. About three weeks ago, my said brother *Donald*, having hired a Canadian carter to take him to the village of the Lake of the Two Mountains, the horse of the carter had his mane and tail shaved in the course of that night. My brother *John* is a grocer, and been hitherto in the habit of selling liquors to be drank out of doors; but this year he has been refused the necessary certificate for a licence, because he did not belong to the above-mentioned party. Since the above-mentioned meeting, the Canadians, or those who call themselves patriots, have withdrawn their custom from him. My father has been in the habit of making potash, and of purchasing ashes for that purpose from the farmers all round; but since the meeting in question, no person, being a Canadian, has sold him any, or would dare to sell him any, except by stealth. On Monday, the third day of July instant, *Louis Bourignon* and *Luc Lefevre*, of the said parish of St. Benoit, yeomen, came to the house of my brother *John*, where I happened to be, and having called me out, the said *Louis Bourignon*, speaking first to me, said that I had better go over to their party, or that something bad would happen to me, "*qu'il né arriveroit malheur*," for that the people of the lower part of the concession, that is to say of the concession of St. Joseph, in the said parish of St. Benoit, in which we live, would arm and attack all those who did not belong to the patriotic party. Having declared that I would not go over to them, *Luc Lefevre* added, that I had better join them if I wished to preserve my property, meaning the property of my father, upon which I live with him. I have reason to know, and do verily believe, that a similar threat has been made to my brother *Alexander* by one *François Labelle*, of the said parish of St. Benoit, labourer, about the same time; that the said *Robert Walker*, and the said *William Starkie*, have been recently threatened in a similar manner, the former by *Jacques Massie* of St. Benoit, yeoman, and the latter by the said *Louis Bourignon* and the said *Luc Lefevre*. For some time past, our Canadian neighbours have even ceased to speak with us when they meet with us. No Canadians are allowed to remain in our service under the penalty of personal illtreatment. There is a Canadian man who works for my father, and who sleeps at the house of a single woman, whose only support is derived from an orchard. I have been informed, and do verily believe, that spies are set over us to prevent any intercourse between our Canadian neighbours and us. I have no hesitation in deposing that I verily believe that the said *Louis Bourignon*, the said *Luc Lefevre*, the said *François Labelle*, and the said *Jacques Massie*, have conspired together, and with divers others of the said concession or côte St. Joseph, to drive my father and brothers, the said *Robert Walker*, *William Starkie*, and all the other English inhabitants, amounting to about 30 individuals, counting women and children, out of the said parish of St. Benoit, and in default of our leaving our houses, to injure either our persons or our property; and I do therefore demand for myself, for the persons herein above-named, and all other the English inhabitants of the said concession or côte St. Joseph, justice and protection.

Sworn before me, at Montreal, this 11th July 1837,

(signed) *Duncan M'Coll*.

(signed) *Turton Penn, J. P.*

Certified.

(signed) *C. R. Ogden, Attorney-General.*

District of Montreal.

Duncan M'Coll, of the parish of St. Benoit, in the said district, labourer, being duly sworn, deposeth and saith, That on Monday last, *Louis Bourignon* and *Louis Lefevre*, of the same place, yeomen, told this deponent, that unless he would join their party, to wit, a certain

a certain party, calling themselves patriots, they would do him some harm, *qu'il arriveroit malheur.*" And this deponent further saith, that as he doth not intend to join the said party, he verily believes that they, and each of them, will do him some personal injury, unless compelled to give security for good behaviour and the preservation of the peace in the usual manner.

(signed) *Duncan M'Coll.*

No. 36.
Earl of Gosford to
Lord Glenelg,
5 October 1837.

Encl. in No. 36.

Sworn before me, this 6th July 1837.

(signed) *W. Robertson, J. P.*

Certified.

(signed) *C. R. Ogden, Attorney-General.*

District of Montreal.

William Starke, of the parish of St. Benoit, in the district of Montreal, labourer, being duly sworn, deposeth and saith, That on Monday last, Louis Bourignon and Luc Lefevre, of the same place, yeomen, told this deponent, that unless he joined their party, to wit, a certain party calling themselves patriots, they would burn his house; and this deponent further saith, that as he doth not intend to join the said party, he really believes they and each of them will carry their threats into execution, unless compelled to give security for their good behaviour and the preservation of the peace in the usual manner.

(signed) *W. Starke.*

Sworn before me, this 6th July 1837.

(signed) *W. Robertson, J. P.*

Certified.

(signed) *C. R. Ogden, Attorney-General.*

District of Montreal.

Robert Walker, of the parish of St. Benoit, in the district of Montreal, yeoman, being duly sworn, deposeth and saith, That he hath been credibly informed, and doth verily believe, that Jacques Massie, of the same place, yeoman, hath threatened to burn his this deponent's property, to get him this deponent out of the place; and this deponent verily believes that the said Jacques Massie intends to carry his aforesaid threat into execution, unless compelled to give security for his good behaviour and the preservation of the peace.

(signed) *Robert Walker.*

Sworn before me, this 6th July 1837.

(signed) *W. Robertson, J. P.*

Certified.

(signed) *C. R. Ogden, Attorney-General.*

District of Montreal.

Alexander M'Coll, of the parish of St. Benoit, in the district of Montreal, yeoman, being duly sworn, deposeth and saith, That François Labelle, of the said parish, labourer, told this deponent on Sunday last, that unless he, this deponent, joined the party to which the said Labelle belonged, which party call themselves the *Patriotes*, some misfortune would happen to him this deponent, and that he would be sorry for it when it would be too late. And this deponent further saith, that from the menace of the said Labelle, and the manner in which it was conveyed, this deponent fears that he the said Labelle will do him this deponent some injury, either to his person or his property, or to both, unless compelled to give security in the usual manner for his good behaviour and the preservation of the peace.

(signed) *Alexander M'Coll.*

Sworn before me, this 6th July 1837.

(signed) *W. Robertson, J. P.*

District de Montréal.

Alexis Pinet, de la paroisse de Varennes, district de Montréal, ecuyer, l'un des juges de paix de Sa Majesté dans et pour le dit district, ayant été dûment assermenté, depose et dit comme suit :

Samedi, le 24 de Juin dernier, j'ai reçu, en ma qualité de juge de paix, la proclamation de son Excellence le très Hon. Archibald Lord Gosford, gouverneur en chef, en date au Château St. Louis, dans le cité de Quebec, le 15 jour du Juin dernier. J'ai cru qu'il étoit

No. 36.
Earl of Gosford to
Lord Glenelg,
5 October 1837.

Encls. in No. 36.

de mon devoir de donner à cette proclamation autant de publicité que possible, et à cet effet, je l'ai affichée sur la porte de l'église de la dite paroisse de Varennes, Dimanche, le 25 du dit mois de Juin, vers les cinq heures du matin. Le même jour de Dimanche, à l'issue de service divin du matin, Eugene Napoleon Duchesnois, de la dite paroisse, médecin, s'est adressé au peuple sortant de l'église, et leur indiquant la dite proclamation ainsi affichée; il leur a dit que cette proclamation n'avait été ainsi affichée que pour les intimider, que l'on ne devoit y avoir aucunement égard, qu'elle ne vouloit rien dire, que partout en elle avoit paru, elle avoit été mepriser et foulée aux pieds, et qu'elle devoit l'être également à Varennes, qu'il tenoit à la main une proclamation semblable dans une gazette, et que pour marquer le mépris qu'il en faisoit, il alloit la jeter aux vents, le quel fit en effet.

Après avoir repoussé les attaques du dit Docteur Duchesnois contre la dite proclamation, je me suis retiré avec un grand nombre des spectateurs, et à leur réquisition.

(signé) A. Pinet.

Assermenté devant moi, le 11 Juillet 1837.

(signé) Turton Penn, J. P.

Certified.

(signed) C. R. Ogden, Attorney-General.

District de Montreal.

Charles Lozeau, de la paroisse de Varennes, district de Montreal, forgeron, après serment prêté sur les Saints Evangiles, dépose et dit comme suit:

Dimanche, le 25 du mois de Juin dernier, à l'entrée du service divin du matin que s'est fait ce jour la dans l'église de la dite paroisse, j'ai vu affichée sur la porte de la dite église la Proclamation de son Excellence le très hon. Lord Gosford, Gouverneur en Chef, en date du Chateau St. Louis, dans la cité de Québec, le 15 jour de Juin dernier. J'ai lu la dite Proclamation ainsi affichée. Au sortir du dit service divin du matin, j'ai vu la dite Proclamation à la même place. Comme le monde sortoit de l'église, Eugene Napoleon Duchesnois, de la dite paroisse, médecin, est monté sur un banc en face du la dite église, auquel les crieurs publics font ordinairement leur publications, et s'adressent au peuple et leur dit, en leur montrant la proclamation ainsi affichée, qu'elle n'avait été affichée que pour les intimider, que partout en elle avoit été mise elle avoit été déchirée et foulés aux pieds, qu'il en avoit une semblable à la main dans une gazette, qu'il alloit la traiter comme elle meritoit, et en disant ces mots et l'a jetté aux vents. Monsieur Pinet, l'un des juges de paix de Varennes sus dit, après avoir expliqué à ce que venoit de dire le dit Docteur Duchesnois, se retira avec un grand nombre des spectateurs. Après son départ, le dit Docteur Duchesnois s'approcha de la Proclamation ainsi affichée comme dit est, et dit, "c'est moi que vais la déchirer," et en disant ces mots, il passa sa canne rudement sur la dite Proclamation ainsi affichée, et ensuite de sa main, il a enlevé les morceaux, ajoutant, que si l'on mettoit encore d'autres proclamations il servit prêt à les déchirer de même.

(signed) Charles Lozeau.

Assermenté devant moi, ce 11th Juillet 1837.

(signed) Turton Penn, J. P.

Certified.

(signed) C. R. Ogden, Attorney-General.

— No. 37. —

No. 37.
Lord Glenelg to
the Earl of Gosford,
18 Nov. 1837.

COPY of a DESPATCH from Lord Glenelg to the Earl of Gosford.

(No. 278.)

My Lord,

Downing-street, 18 November 1837.

I HAVE had the honour to receive your despatch of the 5th October, No. 104, containing a report from the Attorney-general of Lower Canada of the grounds on which he had thought it necessary to file *ex-officio* informations against Dr. Duchesnois, and certain inhabitants of the county of Two Mountains, after the bills of indictment against them had been ignored by the grand jury of Montreal.

The circumstances detailed by Mr. Ogden were such as to justify the use of every constitutional means for the vindication of the law, and the maintenance of public tranquillity. The expediency, however, of the course adopted in this instance, depends so much on temporary and local circumstances, that I am unable

to

to offer an opinion respecting it. The Attorney-General's report affords me no means of estimating the probability of his success. I cannot doubt, however, that, before deciding on the line to be pursued, he had well weighed this consideration, and that he had not failed to advert to the injurious effects of a second defeat in the prosecution of the individuals in question. I shall be most anxious to learn the result of these trials, since I cannot but feel that it will probably have much influence on public opinion. I trust it may be such as to vindicate the authority of the law.

I have, &c.

(signed) *Glenelg.*

No. 37.
Lord Glenelg to
the Earl of Gosford,
18 Nov. 1837.

— No. 38. —

EXTRACT of a DESPATCH from the Earl of Gosford to Lord Glenelg,
dated Castle, St. Lewis, 10 October 1837.

No. 38.
Earl of Gosford to
Lord Glenelg,
10 October 1837

I AM now busily employed in arranging the composition of the two Councils, which meets with much delay and difficulty, principally from my not being able to procure answers from those I have written to, on the subject of their appointments. I expect in a few days to have this finally settled, and I shall then be able to give you a more correct account of the names of those who will compose the two councils, than I can do at this moment; I shall also take an early opportunity of sending you a detailed account of the state of the country, which, as it regards the district of Montreal, will be rather gloomy, M. Papineau and his party carrying on a system of agitation and excitement in every way they can; and, in some instances, I apprehend, they have, by threats and menaces, caused alarm in the minds of some of the well-disposed, which paralyzes those efforts and exertions which they would otherwise willingly afford to the civil authority in maintaining peace and order. Every precaution is taken, and I trust I may be able to procure some information, on oath, by which I should be authorized to lay hold of some of the leaders connected with what is going on; if I could accomplish this, I should look forward with more certainty than I can at this moment, to the speedy re-establishment of order and tranquillity. All these proceedings I may say are confined to Montreal district; here we are quite quiet and tranquil; some mischievous persons amongst us, but those of another character so greatly predominate, that there is no ground for apprehending any disturbance here.

— No. 39. —

EXTRACTS of a DESPATCH from the Earl of Gosford to Lord Glenelg,
dated Castle, St. Lewis, Quebec, 12 October 1837.

No. 39.
Earl of Gosford to
Lord Glenelg,
12 October 1837.

THE system of agitation, and the attempts to create disaffection, and to ripen it into revolution, of which I have spoken in previous despatches, are, I regret to say, still unremittingly, and with more boldness than ever, carried on by M. Papineau and the party that act with him, comprising the greater number of the members of the Assembly returned for the district of Montreal. In several of the counties of that district, they have succeeded, if rumour and their newspaper organs are to be credited, beyond what I had anticipated, although I have reason to believe that in the parts which may be said to be most disaffected, the majority of the rural population is as yet but little inclined to join in the views and schemes of the agitators, who, however, by misrepresentation, and by the instrumentality of fear and intimidation, have so far worked upon their minds as to produce a degree of inertness in opposing the progress of the movement, and in aiding the administration of justice and the course of social order, that cannot fail to afford grounds for serious consideration. The mode of proceeding adopted for keeping up and increasing this feeling is by parading nightly, in the town of Montreal, large and organized bands of men, who, however, have as yet proceeded to no

No. 39.
Earl of Gosford to
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12 October 1837.

acts of violence or breaches of the peace, by inflammatory speeches at meetings; by seditious publications and resolutions of the central committees; by placing (in the most disturbed of the rural parishes) those who are loyal and hold opposite political opinions under a species of excommunication, and keeping them in dread of nocturnal injuries to their property; by burning in effigy those in higher stations, and by subjecting them to a kind of annoyance called a *charireari*, which is the assembling of a crowd before their doors, for the purpose of alarming them and their families at night with uncouth noises, hisses, threats, and other manifestations of popular displeasure. Sir John Colborne, the Hon. Mr. Debartzch, and others, have been exposed to this kind of outrage, which, in a recent instance, at St. Denis, in the county of Richelieu, was unhappily attended with loss of life and property; a lady, Madame St. Jacques, having, as it is reported, fired, or given directions to fire, upon the mob, when, not content with the proceedings usual on such occasions, they had actually broken into her house; two persons were thereby wounded, of whom one has since died. The house was immediately demolished, but not before the inmates had escaped; Madame St. Jacques was, however, shortly afterwards apprehended and committed by a magistrate to the Montreal gaol, where I believe she yet remains.

Some of the immediate fruits of the system now in operation, which, if not put down, must lead to the worst consequences, are to be seen in the apathy and inaction of such of the magistracy and persons of property who had not joined the revolutionary party; in the extreme difficulty of obtaining accurate and available information of what is passing; and, judging from recent events, in the little probability, even if evidence of sufficient weight could be procured to arraign the offenders, of a jury, taken from the district of Montreal, finding bills and convicting on them. In corroboration of this statement, I may refer your Lordship to an official report of the Attorney-general, which I forwarded by a ship that sailed yesterday, with my despatch of the 5th instant (No. 104), and also to the enclosed documents. The first is a letter from Sir John Colborne, in reply to one I wrote to him, in consequence of a communication made to me, at his desire, by the deputy adjutant-general, relating partly to passing events and partly to the orders he has issued respecting the distribution which, at this juncture, he wished effected in the troops, and which appeared to me judicious. The second is *The Vindicator* newspaper of the 6th instant, containing an address from "The Sons of Liberty" (as the signers, 44 in number, style themselves) asserting, amongst other things, that the present degraded position of the country being the result of three quarters of a century of warm devotion to British connexion, and of mistaken reliance upon British honour, it would be slavish and criminal to confine their resistance hereafter to simple remonstrances, &c.; and containing likewise a set of resolutions, stated to have been passed on the 1st instant, at a sitting of the permanent committee of the county of Two Mountains, having for their object the superseding the ordinary administration of justice, by the establishment of a species of tribunal over which magistrates elected by the people are to preside, for the adjustment of differences and the trial of causes, and the organization of volunteer companies of militia, under the command of officers elected by militia men, who are to be drilled in the management of fire-arms, which, with the other accoutrements, the permanent committee pledges itself to provide for those corps that distinguish themselves by their good order and discipline. To this force, it is further resolved that the militia officers who have lately been dismissed for disobedience of orders, and for having taken an active part at the various seditious meetings, are to be re-elected.

No. 1.
Private, 6 Oct.
1837.

No. 2.

No. 3.

No. 4.
7 October 1837.

The third enclosure is a petition to me from more than 300 inhabitants of the city of Quebec, tendering their services to Her Majesty, and requesting, in consequence of the state of the province, to be allowed to enrol as a volunteer rifle corps, and to be armed and accoutred at the expense of the Government. This petition would, I am given to understand, have been much more numerously signed, but many held back to see the nature of my reply, a copy of which I now forward. Your Lordship is aware that, in December 1835, I refused a similar application from Montreal; and although circumstances are much changed since that period, I still thought it prudent to decline the present proposal, that could not have been accepted without incurring the risk of applications of the same nature from other quarters, which it might have been dangerous to grant but difficult to refuse, had this been entertained, nor without giving rise, both in the province and elsewhere, to inferences that the strength and progress of the agitators are

are greater than they really are, and that the local Executive was in a state of alarm, inferences which it is one of the great objects of the movement party to create, and to disseminate as widely as possible.

The electors of the five countries bordering on the Richelieu River, viz. Richelieu, Chambly, St. Hyacinthe, Rouville, and Verchères, having been called upon by the Montreal central committee, intend, I understand, to have a meeting on the 23d instant, at which, no doubt, Mr. Papineau and his principal supporters will be present. What are the precise objects of this meeting I have not been able to ascertain; probably to produce an effect here and at home, to recommend resistance to the authorities, a general convention, the organization of the people, and, in fact, to prepare them as much as possible for receiving and forwarding the views of the party, who, it is now evident, aim at nothing short of a revolution, and would, I believe, commence it immediately if they thought themselves sufficiently supported by the mass of the population. Many rumours are in circulation: one, that it is intended at this meeting to issue a declaration of independence; and another, that the plan is to wait till the navigation closes, and the winter sets in, and then to commence active operations, when the military can receive no assistance or supplies from without. I do not myself credit these reports, nor yet apprehend any serious disturbance, although there are, I admit, some persons of experience and information who think otherwise.

It is proper that I should represent to you the inadequacy of the powers at the disposal of the local government for meeting the difficulties that surround it. The law fails to afford its support; the civil authorities become therefore impotent: the Habeas Corpus Act cannot be suspended. The clergy, though well disposed and loyal, are reluctant to come forward; any further appeal to the present Parliament would not only be inexpedient and useless, but positively injurious; and a dissolution offers no prospect of a more reasonable House of Assembly, nor any hope that the new House, which would be composed of a majority of the old members, would recede in any particular from the demands so pertinaciously insisted on by the present body. Indeed a dissolution, if decided on at all, should not at any rate be resorted to before the whole of the measures and arrangements you now have in contemplation respecting this province shall have passed into law and be perfected.

In such circumstances, and seeing that the Imperial Parliament has solemnly and unequivocally stated that it will not accede to the Assembly's demands, I am forced, however reluctantly, to come to the conclusion that the only practical course now open for conducting the affairs of this province with any benefit to the inhabitants generally, is at once formally to suspend the present constitution, which both parties unite in confessing cannot now be worked, and which has in fact for the last 12 months been virtually suspended; to increase the military force, and to strengthen the hands of the Executive, now almost impotent for any good and useful purpose. I do not really see any other plan left for defending the French Canadian from the ruinous consequences that must soon overtake him should Mr. Papineau and his party succeed in their revolutionary schemes; schemes that, without adverting to considerations connected with the adjoining provinces, should be resisted, in justice to that portion of the population who have settled here, relying upon British faith and protection, who are firm in their allegiance, and avowedly hostile to any disruption of the connexion subsisting between the colony and parent state.

In conclusion, I would remind your Lordship that the description I have given of passing events is drawn from materials furnished almost exclusively from the district of Montreal; the four other districts remaining as yet passive, though I believe the agitators have emissaries busy amongst them. In the city of Québec a central committee has been established, of which Mr. Morin, I perceive, is a member, and which is intended probably to be similar in object and operation to its prototype at Montreal, but its purposes and regulations are not yet made known. I would further remark, that the accounts which reach me, and of course those which reach your Lordship through the ordinary channels of information, are mixed with much exaggeration; but making allowances for this, there still remains enough to call for the prompt and active interposition of the parent Government.

No. 39.
Earl of Gosford to
Lord Glenelg,
12 October 1837.

No. 39.
Earl of Gosford to
Lord Glenelg,
12 October 1837.

Enclosure 1, in
No. 39.

Enclosures in No. 39.

(No. 1.)

Sorel, 6 October 1837.

(Private.)

My dear Lord,

I BEG to thank your Lordship for your letter of the 5th ultimo. It appears absurd to attach an importance to the influence and tactics of the factious party in this province beyond their actual progress, and the results of their unchecked movements and language, while the great mass of the Canadian peasantry cannot be excited or induced to take an active part with the persons who are now sounding the alarm; but no doubt should be entertained that the system of agitation carrying on by the faction, although chiefly intended to intimidate the Home Government, under present circumstances, and to demonstrate that the country is bordering on a state of revolt, must tend to promote effectually the avowed object of Mr. Papineau.

In my correspondence with Colonel Eden, I have had occasion to refer to the facts and reports that establish the decided character which the agitators have lately assumed. The people have elected the dismissed officers of the militia to command them. At St. Ours a pole has been erected in favour of a dismissed captain, with this inscription on it, "Élu par le peuple." At St. Hyacinthe the tri-coloured flag was displayed for several days. Two families have quitted that town in consequence of the annoyance they experienced from the patriots. Wolfred Nelson warned the patriots at a public meeting to be ready to arm. The tri-coloured flag is to be seen at two taverns between St. Denis and St. Charles. Many of the tavern-keepers have discontinued their signs, and substituted for them an eagle. The bank notes or promissory notes issued at Yamaska have also the same emblem marked on them. Mr. Papineau was escorted from Yamaska to St. Denis by a numerous retinue; it is said that two or three hundred carriages accompanied him on his route. He has attended five public meetings lately; and at one of them, La Valtrie, a priest was insulted in his presence. The occurrence at St. Denis was certainly a political affair: a family at St. Antoine, opposed to the proceedings of W. Nelson, having been annoyed by the same mob that destroyed the house of Madame St. Jacques a few hours before the shot was fired from her window.

The game which Mr. Papineau is playing cannot be mistaken; and we must be prepared to expect that if four or five hundred persons are allowed to parade the streets of Montreal at night, singing revolutionary songs, the excited parties will come in collision.

I remain, &c.

His Excellency the Right Hon. the Earl of Gosford,
&c. &c. &c.

(signed) J. Colborne.

(No. 2.)

ADDRESS of "The Sons of Liberty," of *Montreal*, to the Young Men of the
North American Colonies.

Brothers,

WHEN urgent circumstances in the affairs of a country make it necessary for men to form themselves into parties or associations, a proper respect for the opinions of society demands from them an explicit declaration of the causes which have induced them to combine, and of the principles which they intend to advance by the power of their organization.

We consider that, next to the privilege of acting for himself, man possesses, from the very foundation of society, that of uniting his energies with those of his fellow-citizens for all purposes of mutual interest or defence, and that therefore the right of association is as sacred and inalienable as the right of personal liberty. We hold that governments are instituted for the benefit, and can only exist justly by the consent of the governed; and whatever may be the artificial changes in human affairs, that a government of choice is an inherent right of the people. It cannot be alienated, and consequently may always be asserted and exercised. All governments being instituted for the benefit of a whole people, and not for the honour or profit of any individual, all pretensions of Divine or absolute authority to rule, claimed by or for any man or set of men, are blasphemous and absurd, alike monstrous when inculcated, and degrading when admitted. The authority of a parent state over a colony can exist only during the pleasure of the colonists; for the country being established and settled by them, belongs to them of right, and may be separated from all foreign connexion whenever the inconveniences resulting from an executive power residing abroad, ceasing to harmonise with a local legislature, makes such a step necessary to the inhabitants for the protection of life, liberty, or the pursuit of happiness.

The Young Men's Association of Montreal, adopting the title of "The Sons of Liberty," is not intended to be a private cabal or secret junto, but an active democratic body, comprising all young men in the city patriotically alive to the interests of their country, whatever may be their creed, country, or the nation of their ancestors.

The causes which demand, at the present juncture, from all, but more especially from young men coming forward into active life, a heroic devotion to their country's cause, are manifold and imposing.

At the cession of this province in 1763, with a view to consolidate British power on the banks of the St. Lawrence, certain rights of property, religion, and government were
guaranteed

guaranteed to the Canadians, and afterwards more fully confirmed in 1774, when the approaching noble revolt of the American States rendered concessions to the new subjects of the empire extremely politic. The brilliant success of those States, and the overwhelming movement of revolution in France, having made England tremble for the safety of her remaining American possessions, she passed, in 1791, the Act called the "Constitutional Act," which divided Upper from Lower Canada, and established a representative Assembly in each. In 1812, conciliation was again rendered necessary, by the declaration of war with the United States. These times of danger have been the seasons of seeming justice to Canada, while the intervening and succeeding periods furnish but one long history of repeated injuries, atrocities, usurpations, and wrongs. Thus we have seen British rulers, with a cowardice and a perfidy unworthy of the representatives of a powerful nation, continuing to allure the people of Canada, by deceptive promises in times of pressing necessity, and when the emergency had passed, resorting to every unwarrantable expedient to defer or avoid the fulfilment of their solemn engagements.

After seventy seven years of British rule, we behold our country miserable, compared with the prosperous republics who wisely threw off the yoke of monarchy. We feel that our population is equal in capacity to theirs. We see emigrants from beyond seas, of the same class, wretched if they remain here, happy if they join the great democratic family, and we have daily evidence that our ill fortunes are attributable to the desolating action of a colonial government. A pretended protection has withered our energies; it has preserved all that was bad in our ancient institutions, or unfitted to the present state of society, thwarted the free operation of all that was good, and trammelled by restraints every measure of reform or amelioration.

Whilst every township throughout the immense territory of our neighbours is happily governed by its own free democracy, which is thereby trained, from its youth upwards, to political knowledge, self-reliance and energetic action, we are cramped and controlled by a government in which the people have no voice, whose influence tends to the corruption of public virtue, the depression of enterprise, and the annihilation of every generous impulse or exalted aspiration for the advancement of the country's greatness.

Hosts of officers, appointed without consent of the people, to whom they are too frequently obnoxious and never responsible, and holding commissions during the pleasure of an irresponsible executive, are placed in authority over us, with salaries enormously disproportioned both to our means and to their services, whereby office is made a means of family or personal aggrandizement, instead of being suited to the resources and wants of the people.

The trial by jury, which we have been taught to look upon as the palladium of our liberties, is made a vain illusion or instrument of despotism, inasmuch as sheriffs, creatures of the executive, upon which they depend daily for a continuance in an office to which vast emoluments are attached, can select and summon such jurors as they please, and thereby become themselves the arbiters in state prosecutions instituted against the people by their oppressors.

Immense funds, bestowed by a provident government, or by generous individuals, on the late order of the Jesuits, for purposes of education, have been diverted from this commendable object, and made an instrument of corruption for the reward of useless or reprehensible officials, while the children of the province, deprived of the funds provided for their instruction, have grown up without the benefit of school education, to be now taunted with want of learning.

Our public lands, defended during two wars by the bravery of the inhabitants of the country, and rendered valuable by the toil that has opened roads, and extended settlements back to the wilderness, have been sold or bestowed, in contempt of our remonstrances, to a company of speculators living beyond the sea, or partitioned out among official parasites, who have, from motives of interest, combined as a faction to support a corrupt government, inimical to the rights and opposed to the wishes of the people; whilst our fathers, our relations, and our brother colonists are refused or unable to procure wild land on which to settle.

Laws affecting the tenure of lands, inapplicable to the condition of the country, and injurious in their operation, have been forced upon us by a foreign Parliament, which, in order to favour private and sinister interests, has usurped a power of internal legislation that appertains alone to the legislature of this province.

Regulations for the trade of the country, adopted by a foreign Parliament, are enforced without our consent. We are thus confined to certain markets, and are deprived of the power of extending our commerce to all parts of the world when the markets of Britain are unfavourable to our produce, whereby our commercial enterprise is crippled and paralyzed.

The representation of the country has been made a solemn mockery. A corrupt executive has constantly sought to render our House of Assembly an instrument to decide unalterably the slavery of its constituents; and failing in this wicked design, has rendered its action nugatory by frequent prorogations and dissolutions, and by refusing an assent to laws useful to the people, and passed unanimously by their representatives.

A legislative council, the members of which are nominated by authorities ignorant of the country, residing 3,000 miles off, composed mostly of persons who do not sympathize with the country, still exists as an impotent screen between the governor and the governed, and nullifies all attempts at useful legislation. An executive council nominated in the same manner, whose influence has poisoned the mind of each succeeding governor, remains

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Earl of Gosford to
Lord Glenelg,
12 October 1837.

Enclosure 2, in
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unchanged, to protect the cumulation of office and abuses that are connected with every public department. A governor, alike ignorant with his predecessors, and who has become like each of them, an official partisan, conducts the government for the benefit of the few, either unmindful of or determinedly opposed to the prosperity of the many.

Our grievances have been faithfully and repeatedly urged upon the King and Parliament of the United Kingdom, by the resolutions of primary assemblies, by our representatives in parliament assembled, and by the humble petitions of the whole people. We have remonstrated, with all the power of argument and all the moral force of truth. No remedies have been extended; and at last, when the tyranny of those intrusted with power in the province has increased insufferably from continued impunity, advantage is taken, by an ungenerous European State, of a time of general peace, to coerce us into a connivance or approval of our own debasement, by a threat to seize upon our public revenues with a hand of force, in defiance of natural right, and of every principle of law, policy or justice.

The present degraded position of our country, being the result of three-quarters of a century of warm devotion to British connexion, and of mistaken reliance upon British honour, it would be slavish and criminal to confine our resistance hereafter to simple remonstrances. The wicked designs of British authorities have severed all ties of sympathy for an unfeeling mother country. A separation has commenced between parties, which will never be cemented, but which will go on increasing, until one of those sudden, those unforeseen events, that attend the march of time, affords us a fit opportunity for assuming our rank among the independent sovereignties of America. Two splendid opportunities have been lost; let us not be unprepared for the third.

A glorious destiny awaits the young men of these colonies. Our fathers have passed a long life of vexation, in daily struggle against every degree of despotism. As they pass from the world, they leave an inheritance improved by their patriotic sacrifices; to us they commit the noble duty of carrying onward their proud designs, which in our day must disfranchise our beloved country from all human authority except that of the bold democracy residing within its bosom.

With such an invigorating prospect spreading before us, with such a high responsibility resting upon us, it becomes our imperative duty, laying aside the gay frivolities of youth, to betake ourselves to the serious consideration of our country's politics, her wants and her resources; to increase her wealth by encouraging her manufactures and her produce; and to preserve her strength by discontinuing the consumption of articles brought from beyond sea; but, above all, to accustom ourselves to constant sacrifices, and so to curtail our personal expenses, by avoiding excess or superfluity, that we may treasure means for supporting each other in the struggle for life and liberty in which we must sooner or later be engaged, when the day of glory arrives that will see us emerge from a long dark bondage to the splendour of light and freedom.

Wherefore, we the officers and managing committee of the Association of the "Sons of Liberty" in Montreal, in our own names, and on behalf of those whom we represent, pledge ourselves to our abused country and to each other, that we will devote all our energies, and be prepared to act as circumstances may demand, in order to procure for this province a reformed system of government, based upon the elective principle; a responsible executive; the control by the representative branch of the legislature of all public revenues, from whatever source derived; the repeal of all laws and charters passed by foreign authority, encroaching upon the rights of the people and their representatives, especially those relating to the propriety and tenures of land, whether belonging to the public or to individuals; an improved system of selling public lands, whereby those who wish to become actual settlers thereon may be able to do so at a small expense; the abolition of pluralities and irresponsibility of office, and an equality before the law for all classes, without distinction of origin, language or religion; and depending on God, and strong in our right, we hereby invite the young men of these provinces to form associations in their several localities, for the attainment of good, cheap, responsible government, and for the security, defence and extension of our common liberties.

André Ouimet, President.

J. L. Beaudry, } Vice Presidents.
Joseph Martel, }

J. G. Beaudriau, Treasurer.

G. H. E. Therien, Recording Secretary.

G. Boucherville, Corresponding Secretary.

Francis Tullock, Assistant Corresponding Secretary.

J. S. Neysmith.
Toussaint Demers.
Narcisse Lafrenière.
Pierre Grenier.
Louis Dumais.
Joseph Lettore.
L. P. Boivin.
Remi Courselles.
Casimir Arcouet.
Amable Simard.
J. B. Label.
Jos. Gaudry.
James Finney.

Louis Lebeau.
Thomas Barbe.
F. Tavernier.
Joseph Dufault.
Joseph Leduc.
Paul Martin.
P. G. Damour.
Henry Lacaille.
Pierre Larceneur.
N. Berthiaume.
Narcisse Valois.
H. Carron.

H. A. Gauvin.
André Lacroix.
L. C. Perrault.
Chamilly de Lorimier.
Norbert Larochelle.
André Giguère.
Louis Barré.
Simon Crevier.
André Lapierre.
J. B. Brien.
A. B. Papineau.
Rodolphe Desrivieres.

Montreal, October 4, 1837.

PROGRESS OF ORGANIZATION.

Permanent Committee of the County of Two Mountains.

Extract of the proceedings of the 8th Sitting.

St. Benoit, 1st October 1837.

No. 39.
Earl of Gosford to
Lord Glenelg,
12 October 1837.

Enclosure 2,
in No. 39.

Mr. Pierre Danis, in the chair.

The Minutes having been read, the following Resolutions were discussed and unanimously adopted by the Committee:—

Resolved, 1. That the Governor-in-Chief, by his arbitrary dismissal of a large number of respectable citizens, who fulfilled with integrity and to the satisfaction of the people, the offices of magistrates and officers of militia, solely because they took an active part in the proceedings of public meetings holden by the people, for the just, legal and constitutional vindication of their invaded rights, has placed the inhabitants of the country under the necessity of adopting measures for their protection, and for the preservation of order and peace, especially in the localities entirely deprived of those officers, and where the inhabitants would be obliged, for the purpose of obtaining justice, to go to a great distance, or to apply to officers who owe their appointments to their antipathy to the mass of the inhabitants surrounding them, and who are in open hostility with those said inhabitants.

Resolved, 2. That by the dismissals which have lately taken place in this county, of magistrates Jean Bte. Dumouchel, Jacob Barcelo, Luc H. Masson, Leandre Dumouchel and Emery Féré, esqrs., the parishes of St. Benoit and St. Hermas are without justices of the peace, and the parishes of St. Scholastique and St. Eustache, without any such officer possessing the confidence and respect of the inhabitants; that the appointment recently made in the last named parish, of one John Earl, to the office of justice of the peace, cannot be considered by the inhabitants in any other light than as a new insult offered by the executive to their feelings, the individual in question being notoriously distinguished for his incapacity, hardly understanding their language, and having been the ringleader in the violences and outrages of which the Canadian inhabitants of this country have been the victims at the last general election.

Resolved, 3. That in consequence of the oppressive and hateful measures of the present administration, the iniquitous proceedings of several of the public officers, especially the odious and unconstitutional proceedings adopted by one of the law officers of the Crown, during the last criminal term, against innocent citizens persecuted for their patriotism by the tools of the said administration, especially as the said victims of despotism had been legally discharged by the grand jury from the false and malicious accusations borne against them; and considering the absence of laws, courts and officers, capable of affording protection, this committee believes it to be its duty more than ever, in the present state of disorganization, which does not proceed from the people, but from a corrupt and persecuting government, to recommend union, peace and good understanding between all Reformers; and flatters itself that their patriotism and virtue will cause them to abstain from all that might in the least provoke any recourse to the courts of this district, or particularly to magistrates named out of hate to the people, and in place of high-minded citizens, who were dismissed only because they had fulfilled with courage a sacred duty towards their fellow-citizens, whose entire confidence they possess.

Resolved, 4. That, nevertheless, for the better maintenance of order and good understanding among the Reformers of this county, this committee considers it its duty, under existing circumstances, to make use of the authority invested in it by the people, to recommend and to support and maintain the following measures and dispositions.

I.

1st. The inhabitants of the parishes beforementioned shall meet on Sunday, the 15th day of the present month, at the Bridge of St. Joachim, near the establishment of the Messrs. Major, at two o'clock in the afternoon, and shall then and there elect, by a majority of votes, three or more wise and discreet persons in each of the said parishes, to fill the office of justice of the peace and pacificators (*amiables compositeurs*)

2d. The duty of the justices so elected shall be, to conciliate the differences and difficulties which may hereafter arise between the reformers of their localities, with power to judge and determine all the complaints which will be brought before them.

3d. No person shall be obliged to accept this office for more than one year, nor shall be appointed thereto for any term less than one year.

4th. Vacancies shall be filled up by means of election, for the replacing of justices who will have completed their time, or of those who will be incapacitated from performing the duties of their charge, either by sickness, absence, or any other causes considered sufficient by the permanent committee.

5th. The person who shall have presided at the meeting for the election of justices of the peace, or pacificators (*amiables compositeurs*) shall make an exact report at the next meeting of this committee of the persons elected, and of their acceptance of office.

II.

1st. All demands and complaints between Reformers in this county shall be carried before the nearest justice of the peace or pacificator (*amiable compositeur*), who, after having heard the parties and their witnesses, shall decide according to equity, and in conformity

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with the dictates of his conscience, without being obliged to observe the forms and proceedings of courts.

2d. The pacificator before whom a cause will be brought, may, if he think proper, adjoin to himself one or two other pacificators, unless the parties insist on abiding by his sole decision.

3rd. One or other of the parties shall be at liberty to require the assistance of another pacificator justice of the neighbourhood.

And any of the said judges can be objected to, either by reason of relationship or ties which may interest them directly in the decision of the subject of difference. But such demands and objections shall be proposed before the contradictory instruction of the cause.

4th. The party or parties condemned by one or more pacificator justices (*amiables compositeurs*) may appeal from such judgment to the permanent committee of the county, at the sitting following the judgment in first instance, and the opinion of such committee shall be final.

5th. The pacificator justices shall, according to the seriousness of the circumstances, grant to the parties the advantage of the decision of a jury composed of not less than five and not more than eleven citizens, named equally by both parties, with the exception of one, whom the justice or justices shall choose, and who shall be foreman of the jury. But in this case the verdict shall be final, and without appeal.

III.

1st. The pacificator justices shall have power to meet and to make regulations for the better carrying into effect the foregoing dispositions, which regulations shall be submitted to the revision and approbation of the permanent committee, before being put into practice.

2d. In the mean time, summonses shall be made *viva voce*, or may be given by writing, through a member of the permanent committee, or of a local committee.

3d. Judgments and verdicts shall be enregistered in a book kept in each parish, and signed by the justices or clerk whom they shall have power to name.

4th. No fee can be granted or required.

IV.

1st. Every reformer shall be bound in honour to abide in all things by the judgment rendered by the pacificator justices (*juges de paix amiables compositeurs*) or by the verdict of the jury, or in case of appeal by the final judgment of the permanent committee, as the case may be, in the same manner as if it were a judgment rendered by the courts created by the government, by virtue of existing laws, and nothing contrary thereto can be either proposed or done.

V.

Reformers who have so little patriotism, honour or virtue, as to refuse to be reconciled, at the suggestion and advice of pacificator justices; or

To carry their demands and complaints before other courts than those of honour and conciliation at present established; or

To neglect or refuse to submit to the summons issued against them to appear before any pacificator justice, jury, or before the permanent committee, as the case may be;

And whoever shall refuse to acquiesce in the decision of the said courts of honour and of conciliation, and refuse to obey the judgments, verdicts and sentences which shall be rendered;

Or whoever shall, in any manner whatsoever, seek to embarrass the progress of the measures adopted by this committee, and render illusory their accomplishment, and their moral and patriotic effect,

Shall be subject to the following penalties:—

1st. They shall not be allowed to vote at any public meeting, nor be elected by reformers to any office; and if they are members of the permanent committee or any local committee, they shall no longer sit there, and upon conviction, the committee shall order the erasure of their names from the registers.

2d. The censure of the committee shall be entered on its minutes and publicly announced at the church door of the parish to which he, who will be thus dishonoured, may belong, and at the church doors of the neighbouring parishes, and the whole shall be published in the reform newspapers in such manner as ordered by the permanent committee.

3d. From that time forward, the reformers of the county shall strictly abstain from having the least friendly communication or any dealing (*relation d'intérêt*) with him, and he shall be considered and treated by patriots as an enemy of his fellow-citizens, and as a friend of those who desire the dishonour and degradation of the country.

4th. It shall be lawful to the permanent committee, according to circumstances, to increase, modify or remit in whole or in part the foregoing penalties.

Nevertheless, he who may have recourse to the ordinary tribunals, shall not be subject to any of the above recited penalties.

If the claim in question is purely commercial;

Or

Or if there be question of titles, which is indispensably necessary to obtain from those authorities for the security of property, and the conservation of the rights of the parties ;

Or in cases which cannot admit of compromise, or in which a legal decision cannot be obtained from the officers elected by the people, such as inspectors of fences and ditches ;

Or in all those cases where it is impossible to obtain justice by pacific and conciliatory means, if the person so proceeding shall justify himself by a certificate of a pacificator justice, approved by a second justice or by a member of the permanent committee, or by two members of any local committee, that the attempt at conciliation was vain, and that there was no other means to obtain justice.

Resolved, 5. That the reformers who have begun to drill shall form themselves in each parish, in volunteer companies of militia, under the command of officers elected by the militia-men, and shall be drilled in the management of fire arms, and in light infantry evolutions and movements.

Returns of such corps shall be transmitted, from time to time, to the permanent committee, which binds itself to provide for those of the said corps who shall distinguish themselves by their good order and superior discipline, whatever arms and accoutrements they may require.

Officers of militia already dismissed by the governor-in-chief, or who shall hereafter be deprived of their commissions because of their patriotism, shall be re-elected by the militia men.

Resolved, 6. That the proceedings of this sitting be communicated to the central committee of Montreal, and published in the reform newspapers.

By order,
(signed) *J. Watts*, Corresponding Secretary.

Extract from the Registers of the Permanent Committee
of the County of Two Mountains.

F. H. Le Maire, Record. Sec.

(No. 3.)

TO His Excellency the Right Honourable Archibald Earl of Gosford, &c. &c.

The petition of the undersigned, loyal subjects of Her Majesty, Queen Victoria, residing in the City and County of Quebec,

Humbly sheweth,

THAT in the present disturbed state of the province, when revolutionary doctrines are openly disseminated, your petitioners are desirous of offering their services to Her Majesty's Government, to be enrolled as a volunteer rifle corps, in order that they may be prepared, when called upon, to act with efficiency in support of the laws, and to assist in maintaining inviolable the connexion at present subsisting between the parent state and her colonies in British North America.

That for the purposes aforesaid, your petitioners consider it would be desirable that they should be provided with arms and accoutrements by Her Majesty's Government, and that officers should be appointed by your Excellency to command them.

Wherefore your petitioners pray, that your Excellency will be pleased favourably to entertain their present petition, to sanction their formation as a volunteer rifle corps, to authorize their being furnished with arms and accoutrements, and to their being placed under the command of such officers as your Excellency may be pleased to select and appoint from among the signers of this petition ; and your petitioners, as in duty bound, will ever pray.

Quebec, September 1837.

325 signatures.

(No. 4.)

I REQUEST you, gentlemen, to acquaint the petitioners who, through you, now tender their services to Her Majesty, by desiring to be enrolled as a volunteer corps, that although I must decline to accede to their proposal, yet I derive much satisfaction from the assurance conveyed by the tenor of their petition, that in the event of any extraordinary municipal aid being required, I can rely with confidence upon their loyalty, and their attachment to the principles of good order, for any assistance that may be necessary to support the laws and preserve the public tranquillity ; and I feel persuaded that the good sense and reflection of the petitioners will at once supply reasons of sufficient weight to secure their concurrence in the soundness of the conclusion at which I have arrived.

Castle of St. Lewis, Quebec, 7th October 1837.

No. 39.
Earl of Gosford to
Lord Glenelg,
12 October 1837.

Enclosure 2,
in No. 39.

Enclosure 3,
in No. 39.

Enclosure 4,
in No. 39.

— No. 40. —

No. 40.

Earl of Gosford to
Lord Glenelg,
19 October 1837.

COPY of a DESPATCH from the Earl of Gosford to Lord Glenelg:
(No. 105.)

My Lord,

Castle of St. Lewis, Quebec, 19 Oct. 1837.

I HAVE the honour to acknowledge the receipt of your despatch of the 22d of August last (No. 256), enclosing five instruments, under Her Majesty's signet and sign manual, for summoning Messrs. P. D. Debartzch, F. A. Quesnel, John Neilson, R. E. Caron, and George Pemberton, to seats at the Executive Council Board, and ten, empowering me to call to the Legislative Council Messrs. J. B. R. H. De Rouville, John Neilson, A. Dionne, S. C. C. De Bleury, J. D. Lacroix, J. M. Fraser, J. Pangman, A. M. De Salaberry, R. E. Caron, and G. Marchand.

Of the proposed Legislative Councillors all have accepted the honour intended to be conferred on them by Her Majesty, and will receive writs of summons at the next meeting of the Legislature, except Mr. Marchand, who has assigned, as his reasons for declining the appointment, the precarious state of his health, the increased expenses incident to a higher station in life than that in which he at present moves, and the circumstance that his attention to mercantile pursuits, from which he has now retired, has prevented his devoting sufficient time to the study of those subjects that would qualify him for the proper discharge of the duties of legislation.

The Hon^{bles}
J. Sewell, Speaker.
J. Hale.
H. W. Ryland.
J. Cuthbert.
C. W. Grant.
P. D. Debartzch.
Thos. Coffin.
R. Mackenzie.
L. Gury.
J. Kerr.
E. Bowen.
M. Bell.
T. Pothier.
J. Stewart.
J. Forsyth.
S. Hatt.
D. B. Viger.
L. Guy.
G. Moffatt.
R. De St. Ours.
P. McGill.
M. P. De Sales
Laterrière.
F. X. Malhiot.
B. Joliette.
P. De Rocheblave.
R. U. Harwood.
A. G. Couillard.
R. Jones.
J. Baxter.
F. Quirouet.
J. Masson.
H. De Rouville.
J. Neilson.
A. Dionne.
S. C. C. De Bleury.
J. D. Lacroix.
J. M. Fraser.
J. Pangman.
A. M. De Salaberry.
R. E. Caron.

With these additions, the Legislative Council will consist of 40 members, of whom 18 are French Canadians, and six, including the Speaker and Mr. Justice Bowen, hold office under Government. It must be observed, however, that Mr. Bowen never attends, and that Messrs. Hale, Ryland, Coffin, Mackenzie, Gury, and Kerr, will most probably, from age and infirmity, not again assist in the deliberations of the Council; and further, that Messrs. Forsyth and Moffatt being absent from the Province on leave for not less than two years, the numbers to be present at any future session of the Council within that period could not exceed 13 English and 18 Canadian members, making in all 31, of whom three at most would be office-holders.

Of the gentlemen to be summoned by Royal mandamus to the Executive Council, Messrs. Debartzch, Quesnel, and Pemberton, immediately expressed their readiness to afford their services to Her Majesty, and they have accordingly been sworn in as members of the Board; but Messrs. Neilson and Caron requested to be excused, the former expressing his regret that the recent death of his son, which had thrown upon him the management of a newspaper establishment, prevented his giving a further proof of his desire to contribute to Her Majesty's service, by accepting the situation of one of Her executive councillors for the province; and the latter, urging that the judicial functions of an executive councillor would interfere with the pursuit of his profession. The circumstance of Mr. Caron being an advocate must, I presume, have escaped your Lordship's attention, as it brings him immediately within the reasons given by your Lordship for not transmitting the Royal mandamus in favour of gentlemen practitioners in the courts of law. I offered, however, to remove the objection, by swearing in Mr. Caron as an honorary member; but this also he declined.

The creation of three new mandamus members having placed me in a position to dispense with the further services of the Honourable Messrs. Smith and De Léry, I lost no time in acquainting them that I accepted their resignations, which had been tendered, and conditionally accepted, shortly after my arrival in the country. Mr. Cochran having, under leave of absence for six months, quitted the province before the arrangements on this head were in a state to allow my acting on them, his case remains as it was, to be dealt with either by your Lordship on his arrival in England, or by the Local Executive on his return to Canada.

The non-acceptance of seats in the council by some of the gentlemen, recommended by me in June last for this appointment, has disarranged, in some degree, the views on which, as a connected plan, the list then forwarded to your Lordship was framed. This, with the altered state of circumstances, and the

the possession of more extensive information obtained since the transmission of that list, have prevented my acting as freely on my recommendations as your despatches of the 14th of July and 22d of August last (Nos. 240 and 256), contemplate and empower me. I have, however, in exercise of the authority with which I have been entrusted, sworn in, as executive councillors, Messrs. Louis, Panet, and William Sheppard, so that the present Board is composed (exclusive of Mr. James Stuart, who is never summoned to attend, and Mr. Cochran, now on his way to England), of eight members, viz. Messrs. John Stewart, Dominique Mondelet, κ. c., Hugues Heney, George Pemberton, Louis Panet, P. D. Debartzch, F. A. Quesnel, κ. c., and William Sheppard, of whom Mr. Stewart, being master of the Trinity-house and commissioner of the Jesuits' estate, can alone be said to be an office-holder under Government. Mr. Panet, I should add, as being one of the most eminent notaries in Quebec, is employed by Mr. Stewart to collect the rents of a portion of the Jesuits' estates, for which service he receives the usual allowance of 10 per cent.

Your Lordship will observe, that as yet there is no member of the House of Assembly in the Council; but as there appeared to be no likelihood of the present Parliament meeting again, I have thought it more advisable, considering all circumstances, to defer making a selection from that body, until after a new election shall have taken place.

As but four of the councillors reside in this city, of whom two only are in possession of the Royal mandamus, it will be necessary to add to their number from inhabitants of Quebec or its immediate vicinity, in order to insure, as well the regular performance of the ordinary duties of the Council, as to prevent inconvenience to the public, from the closing of the Court of Appeals, in consequence of the non-attendance at any time of the distant members. I shall, as soon as I am able to decide on their eligibility, submit some additional names for your Lordship's consideration; but I must confess that the difficulty, especially at this juncture, of selecting individuals who shall be found to combine all the qualifications requisite to fill a station which, from recent events, has become of greater importance than ever, is one of no ordinary kind, and leaves me unprepared at the present moment, with any fresh recommendations to lay before you.

I have &c.
(signed) Gosford.

No. 40.
Earl of Gosford to
Lord Glenelg,
19 October 1837.

— No. 41. —

COPY of a DESPATCH from the Earl of Gosford to Lord Glenelg.
(No. 109.)

No. 41.
Earl of Gosford to
Lord Glenelg,
25 October 1837.

My Lord,

WITH reference to your despatches of the 14th of July (Nos. 241 and 242), authorizing me to draw upon the Lords of the Treasury for the amount of the Parliamentary grant of 142,160 *l.* 14 *s.* 4 *d.*, for Her Majesty's civil service in this province, and conveying to me instructions to discharge thereout the arrears due to the public servants to the 10th of April last, I have the honour to acquaint you that having, in compliance with the desire expressed in your despatch of the 22d of July (No. 244), consulted with Mr. Commissary-general Routh as to the best mode of carrying out your directions, I determined that it would be more advisable, on every account, not to liquidate the several demands by bills on the Treasury, but to procure specie from New York by the sale there of such bills, and to pay each officer his arrears in coin. With this view I requested Mr. Routh, who being more conversant with transactions of this nature, and who from his name being better known in the money markets on this continent, would probably secure a more advantageous negotiation than I could, to draw and dispose of bills on the Lords of the Treasury to the extent of 65,000 *l.* sterling, a sum which I found would, with the Crown revenues in hand on the 10th of April, amounting to about 23,000 *l.* sterling, be sufficient to liquidate all the liabilities of the Provincial Government at that date, with the exception of the 31,000 *l.* advanced in November 1834 from the military chest, and the arrears due to Lord Aylmer, his civil secretary, and Messrs. Amyot and Buchanan, which arrears your Lordship informed me were to be discharged in England. The repayment therefore of these five items, as it was to be made to the commissariat here, had

better,

No. 41.
Earl of Gosford to
Lord Glenelg,
25 October 1837.

better, I thought, be deferred until the 65,000*l.* now drawn should be refunded from the provincial treasury, under the authority of the Act to be passed for that purpose by the Imperial Parliament. The discharge of the whole debt would then form but a single operation, and there would be no occasion to borrow from the Treasury to repay the Treasury.

The Commissary-general, therefore, in pursuance of my directions, drew, in his own name, and sold bills to the extent of 65,000*l.* sterling, the proceeds of which he retained to be distributed under my warrants. This transaction, besides yielding a clear profit of upwards of 3,000*l.* must prove, I should think, of considerable convenience to the trading and general interests of the community, as the means of introducing into the province a large quantity of specie, at a time when, from commercial embarrassments, and the universal and continued suspension of cash payments by the banks, the want of it was much felt. It caused, however, a delay of four or five weeks in the payment of the public servants, but on the 10th instant all the arrangements for that purpose were completed; and those who chose to dispose of their specie obtained a premium of at least four per cent., some remuneration, though a very inadequate one, for the severe inconvenience they had suffered by being so long kept out of what was due to them.

The principle on which I proceeded in discharging the arrears, is the same as that on which the Local Legislature has acted when making provision for the public service in their bills of supply; namely, to appropriate, in the first instance, the revenues under the control of the Crown, as far as they will extend, before resorting to other sources. I presume that your Lordship intended that I should follow this course, as it seems unnecessary to have the authority of an Act of Parliament for the application by the Crown of funds that it can legally appropriate without the intervention of the Legislature. Accordingly, having ascertained that the amount in hand of those funds on the 10th of April last was about 23,000*l.* sterling, I paid thereout, 1st, all services specifically charged upon, or usually defrayed from, the Crown revenues; 2dly, all items that since 1832 the House of Assembly have objected to, with the exception of the deputy postmaster-general's account (4,048*l.* 8*s.*) which, for the reasons contained in my despatch of yesterday (No. 108), was liquidated out of the Parliamentary loan; and, 3dly, the amounts due to those officers who, residing at a distance, had agents in Quebec, acting under special powers of attorney, available only for giving acquittances to the receiver-general, the ordinary channel of payment. Enclosure No. 1 contains a statement of the several items thus liquidated, which, including 2,217*l.* 8*s.* 11*d.* sterling, paid to Mr. Gagy on his dismissal in April last from the shrievalty of Montreal, amount in the whole to the sum of 22,014*l.* 12*s.* sterling, dollars at 4*s.* 6*d.* There are, however, a few other accounts yet outstanding that are to be defrayed out of these funds, but they will not swell the total just stated beyond 23,000*l.*

Enclosure No. 1.

Enclosure No. 2.

Enclosure No. 2 consists of two pay lists addressed to the Commissary-general, containing the several items discharged by him, under my warrants, out of the funds raised by the sale of the bills on the Treasury, the first being a list of the arrears of salary, and the second of the accounts of contingencies due on the 10th of April to the different officers therein named.

The totals of the two lists amount together to 292,096 $\frac{1}{2}$ dollars, which, reckoning the dollar at 4*s.* 6*d.* (the value assigned to it in keeping the provincial accounts and in Government transactions), is equal to 65,721*l.* 13*s.* 5*d.* sterling, or, reckoning the dollar at 4*s.* 4*d.* (the value it bears in all commissariat transactions), is equal to 63,287*l.* 10*s.* 9*d.* To this must be added 4,048*l.* 8*s.* sterling (dollars at 4*s.* 6*d.*), the amount of the postage accounts, paid by a separate warrant.

I may here remark, that in those instances where the House of Assembly had reduced, in their votes of 1833 and 1836, the salaries of certain officers, such, for example, as the physicians to the gaols, the provincial aid-de-camp, the masters of the Royal grammar schools at Quebec and Montreal, &c., I have paid the arrears, only at the reduced rate, from the 1st of April 1836, having at that period liquidated, out of the 45,000*l.* of Crown revenues then distributed, the whole of what was due to such officers, according to the old rate, giving them notice, at the same time, that in future they must look only to the Provincial Legislature for the amount and payment of their salaries; and as the auditor of land patents, the clerk of the court of appeals, and the clerk of the court of

eschéats

escheats were told, when they also received the full amount of what was due to them in April 1836, that from that date their salaries were to cease (the first because the office was to be abolished, and the other two because their services could be sufficiently remunerated by fees), their names, in respect of these offices, do not appear in any of the lists of the arrears paid on the present occasion.

It may be satisfactory, although, perhaps, not now of much practical importance, to say a few words in explanation why the Parliamentary grant of 142,160*l.* 14*s.* 4*d.* sterling (dollars at 4*s.* 6*d.*) has proved more than adequate to answer the purposes for which it was taken. Your Lordship, it appears, assumed, as the basis of the grant, a calculation contained in my despatch of the 23d of January last (No. 14). Now, that calculation was, in a great measure, founded upon an estimate, and comprised not only all the expenses and liabilities immediately connected with the machinery of Government, as well those specifically charged upon the Crown funds as those usually provided for by the Local Legislature out of the general revenues, but also a sum of 5,200*l.* granted by provincial Acts for public works, expenses of commissions, salaries of certain officers, &c., which, as it fell due, was paid under the authority of those Acts. It comprised also several items which, from their pressing nature, or other sufficient considerations, had to be paid out of the Crown funds previous to the 10th of April last; so that at that date the amount of the debt, as appears from the Enclosures Nos. 1 & 2, did not exceed 127,744*l.*; but as 22,514*l.* 12*s.* of this, with the exception of 500*l.* estimated for outstanding accounts, has been liquidated out of the Crown revenues, and will not, therefore, I presume, be included in the Bill to be introduced into the Imperial Parliament based on the 8th of the late Canada resolutions, there will remain to be refunded to the British Treasury by the province (assuming that the profit of 3,204*l.* 8*s.* 2*d.* arising from the negotiation of the Treasury bills belongs to the latter, a question raised by a separate despatch, No. 110) the sum of 105,229*l.* 9*s.* sterling (dollars at 4*s.* 6*d.*) composed of the following items, namely:—

	Sterling Dollars, at 4 <i>s.</i> 6 <i>d.</i>			Number of Dollars.
	£.	s.	d.	
Amount of bills drawn 65,000 <i>l.</i> sterling, dollars at 4 <i>s.</i> 4 <i>d.</i> , equal in sterling dollars at 4 <i>s.</i> 6 <i>d.</i> to	-	-	-	300,000
Loan from military chest in 1834	-	-	-	137,777 $\frac{1}{2}$
* Arrears of salary to Lord Aylmer	-	-	-	22,917 $\frac{1}{2}$
* Ditto to his civil secretary	-	-	-	2,546 $\frac{3}{12}$
Ditto, pension to Mr. Amyot	-	-	-	3,111 $\frac{1}{10}$
Ditto of Mr. Buchanan's half salary	-	-	-	1,333 $\frac{1}{3}$
TOTAL	£. 105,229	9	-	or \$467,686 $\frac{1}{2}$

* N. B.—These two sums were correctly calculated in your Lordship's despatch of the 1st of August last (No. 249.)

But perhaps the simplest and best mode of effecting the repayment of this amount would be, instead of dealing in pounds sterling, to authorize the transfer from the provincial treasury to the Commissary-general of 467,686 $\frac{1}{2}$ dollars; should, however, the Government think it advisable to act on the suggestion contained in my despatch of the 24th instant (No. 108) for remitting the 4,048*l.* 8*s.* paid to the deputy postmaster-general for postage incurred in several of the civil departments here, that sum, which is equal to 17,992 $\frac{9}{10}$ dollars, must be deducted. If, on the other hand, your Lordship should be of opinion that the Crown revenues ought to be appropriated to the discharge only of arrears in respect of services specifically charged upon them, then, without running the account with a scrupulous nicety against the general revenues, there must be added to the 105,229*l.* 9*s.* (or 467,686 $\frac{1}{2}$ dollars) the sum of 18,264*l.* 0*s.* 10*d.* (or 81,173 $\frac{1}{2}$ dollars), being the amount of all the items contained in Enclosure No. 1, except the 500*l.* estimated for outstanding accounts, and those marked with a star, to indicate that they have been specifically charged upon or heretofore defrayed out of the funds at the disposal of the Crown.

I have, &c.
(signed) Gosford.

No. 41.
Earl of Gosford to
Lord Glenelg,
25 October 1837.

No. 41.

Earl of Gosford to
Lord Glenelg,
25 October 1837.

Enclosure 1, in
No. 41.

Enclosure 1, in No. 41.

PAYMENTS made out of the Funds at the disposal of the Crown, in the hands of the Receiver-general, up to the 10th April 1837, being Balances due for Arrears of Salaries, &c. up to the 31st March, and for Contingent Claims up to 10th April 1837.

No.	Names of Persons to whom Payment is to be made.	SERVICE.	Amount to be Paid. Sterling Dollar a' 4s. 6d.
			£. s. d.
1	Louis Gagy - -	-- Salary as sheriff of Montreal, to 1st April 1837.	150 5 6
2	Louis Gagy - -	Allowance for executioner as ditto - - -	40 11 6
3	Louis Gagy - -	For contingencies as ditto - - - - -	2,026 11 11
4	Fisher & Kemble -	- Balance of their accounts for printing and stationery for the civil secretary's office, up to 10 April 1837.	305 14 7
5	Dominick Daly	-- Allowance as provincial secretary for rent of an office for registering grants of Crown lands, from 1st October 1835 to 31st March 1837.	81 - -
6	Joseph Cary -	-- Allowance as inspector-general of public accounts for a second clerk and contingencies, in consequence of his performing the duties of the late auditor-general, from 1st October 1835 to 31st March 1837.	150 - -
7	William Smith -	-- Balance of his salary as a member of the Executive Council, to 31st March 1837.	275 - -
8	John Stewart -	- - - Ditto - - - - -	275 - -
9	C. E. De Lery -	- - - Ditto - - - - -	275 - -
10	A. W. Cochran -	- - - Ditto - - - - -	275 - -
11	Hugues Heney -	- - - Ditto - - - - -	152 10 -
12	G. H. Ryland -	-- Salary as assistant-clerk of the Executive Council, from 10th October 1835 to 31st March 1837, at 10s. per diem.	274 - -
13	A. W. Cochran -	-- Balance of salary as law clerk to the Legislative Council, up to ditto.	495 - -
14	William Smith -	-- Balance of salary as Master in Chancery, up to 31st March 1837.	222 15 -
15	J. G. Thompson -	-- Ditto of ditto as provincial judge of the district of Gaspé.	1,125 - -
16	Henry Black -	-- Salary as judge of the Court of Vice-Admiralty, from 21st September 1836 to 31st March 1837, at 200l.	105 9 7
17	Martin Sheppard -	-- Ditto as sheriff of the district of Gaspé, from 10th October 1835 to 31st March 1837.	105 - -
18	Martin Sheppard -	-- Allowance as ditto for travelling expenses, from ditto to ditto.	15 - -
19	Robert Sherar -	-- Salary as coroner for the district of Gaspé, from ditto to ditto.	75 - -
20	Bebée & Wilkie -	-- Ditto as clerks of the Provincial Court and clerks of the peace, for ditto, from ditto to ditto, including allowance for travelling.	90 - -
21	G. J. Stanley -	-- Salary as crier of the criminal courts at Montreal, from ditto to ditto.	30 - -
22	Peter Devins -	-- Ditto as tipstaff to the courts at ditto, from ditto to ditto.	27 - -
23	J. M'Lellan -	-- Ditto as keeper of the gaol and court-hall at New Carlisle, from ditto to ditto.	54 - -
24	William Annett -	Ditto as ditto at Percé, from ditto to ditto -	54 - -
25	Martin Sheppard -	-- Balance of his contingent accounts as sheriff of the district of Gaspé, up to 10th April 1837.	68 14 -
26	C. G. De Tonnancour	-- Ditto as coroner of the district of St. Francis, to ditto.	25 18 8
27	Bebée & Wilkie -	-- Ditto as clerks of the court and clerks of the peace for Gaspé, to ditto.	105 - -

(continued)

No.	Names of Persons to whom Payment is to be made.	SERVICE.	Amount to be Paid. Sterling Dollar a' 4s. 6d.			No. 41. Earl of Gosford to Lord Glenelg, 25 October 1837. Enclosure 1, in No. 41.
			£.	s.	d.	
28	Mrs. M. Elmsley -	-- Eighteen months' pension, up to, 31st Mar. 1837.	300	-	-	
29	F. G. Heriot -	-- Salary as provincial aide-de-camp, from 1st October 1835 to 31st March 1837.	270	5	1	
30	E. W. R. Antrobus -	-- Ditto - - - - -	128	9	3	
31	F. M' Rae -	-- Ditto as surveyor of highways in Gaspé, to 31st March 1837.	75	-	-	
32	J. Sewell -	-- Balance of his salary as Speaker of the Legislative Council, up to ditto.	2,025	-	-	
33	E. Bowen -	Salary as ditto during the session of 1835 -	450	-	-	
34	Hon. F. W. Primrose -	-- Commission as inspector-general of the Queen's domain on the amount of rents of water lots paid to the receiver-general between 11th April 1836 and 10th April 1837.	12	12	3	
35	Hon. F. W. Primrose -	-- Incidental disbursements incurred in the management of the Queen's domain since his appointment in 1823, to 10th April 1837.	57	7	3	
36	J. Sewell -	-- For rent of an office for the Papier Terrier, hired from him on 16th July 1828, and occupied until 1st May 1831, at 20 <i>l.</i> currency per annum.	50	3	6	
37	J. Bouchette and James Perkins.	-- As substitutes for the second clerk in the surveyor-general's office during his absence on leave.	37	5	10	
38	- - -	-- For the services of sundry bailiffs, from 1833 to 1836, inclusive, in the districts Montreal and St. Francis.	71	14	7	
39	John Neilson -	-- For stationery and printing for the civil secretary by the late Samuel Neilson.	62	8	10	
40	Armour & Ramsay -	-- Ditto - - - - -	28	13	-	
41	Charles Phillips -	-- For glazing and plumbers' work in the public offices.	4	2	2	
42	C. R. Ogden -	-- Balance of his contingent accounts for services as solicitor and attorney-general, from 1831 to 10th April 1837.	7,812	8	5	
ITEMS specifically Charged upon and heretofore Defrayed out of the Crown Funds :						
1	Jane Levingston -	-- Pension from 1st April 1836 to 31st March 1837.	50	-	-	
2	Two Misses De Salaberrys.	-- Ditto, from 10th October 1835 to ditto, at 50 <i>l.</i> each per annum.	150	-	-	
3	John Davidson -	-- Retired allowance, from 1st October 1834 to ditto.	625	-	-	
4	A. W. Cochran -	-- Salary as commissioner of the Court of Escheats, up to 31st March 1837.	1,125	-	-	
5	A. C. Buchanan, jun.	-- Moiety of salary of agent for emigrants at Quebec, to ditto.	300	-	-	
6	A. C. Buchanan, jun.	-- Amount of contingent expenses of his office, to ditto.	333	8	3	
7	H. W. Ryland -	-- Retiring allowance as late treasurer of the Jesuits estates, to ditto.	365	12	6	
	G. H. Ryland -	-- Retiring allowance as late secretary of the Jesuits estates, up to 31st March 1837.	243	15	-	
	John Davidson -	-- Commission as acting commissioner of Crown lands on the sum of 11,155 <i>l.</i> 12 <i>s.</i> 2 <i>d.</i> sterling, paid in by him to the receiver-general between 6th August 1836 and 10th April 1837.	557	15	6	
			£.	22,014	12 2	
To which may be added for straggling items not finally settled				500	- -	
TOTAL - - -			£.	22,514	12 2	

No. 41.

Earl of Gosford to
Lord Glenelg,
25 October 1837.Enclosure 2, in
No. 41.

Enclosure 2, in No. 41.

(List No. 1.)

LIST of Persons to whom Payments are to be made out of the Sum granted by the Imperial Parliament of Great Britain and Ireland, in its late Session, towards defraying the Arrears of Expenses of the Civil Government of *Lower Canada*, being the Balances due to these several Persons up to the 31st March 1837, inclusive, for the under-mentioned Services. Paid by the Governor's Warrant on the Commissary-general, No. 5.

No.	Names of Persons to whom Payment is to be made.	SERVICE.	Amount to be Paid. Sterling Dollar a' 4 s. 6 d.		
			£.	s.	d.
1	His Excellency the Earl of Gosford.	-- Salary as Captain-general and Governor-in-chief.	7,218	9	11
2	Stephen Walcott -	Ditto as civil secretary - - - -	802	1	1
3	John Davidson -	Ditto as assistant ditto - - - -	369	-	10
4	C. N. Montizambert	-- Ditto as assistant in the office of the civil secretary.	274	-	-
5	Henry Paul -	- - - Ditto - - - - -	137	-	-
6	Robert N. Watts -	- - - Ditto - - - - -	137	-	-
7	George Cross -	Salary as messenger in ditto - - -	40	8	10
8	George Cross -	Ditto as keeper of civil secretary's office -	22	1	2 ^(a)
9	Philip St. Hill -	Ditto as extra messenger in ditto - - -	37	-	3
10	Philip St. Hill -	Ditto as messenger in ditto - - - -	22	1	2
11	Olivier Vincent -	Ditto as extra ditto - ditto - - -	24	12	9
12	E. J. Duchesnay -	Ditto as French translator to Government -	75	-	-
13	Dominick Daly -	-- Allowance for an office servant. as provincial secretary.	45	-	-
14	Jonathan Sewell -	Rent of building used for public offices -	750	-	-
15	John King -	Allowance as keeper of ditto - - - -	60	-	-
16	John Hale -	-- Ditto as receiver-general for contingencies of office.	150	-	-(b)
17	Joseph Cary -	Salary as inspector-general of public accounts	825	-	-
18	Joseph Cary -	Allowance as ditto for a clerk and contingencies	150	-	-
19	H. W. Ryland -	-- Salary as registrar and clerk of the Executive Council.	1,375	-	-
20	H. W. Ryland -	Allowance for stationery and printing as ditto	75	-	-(c)
21	John King -	-- Salary as messenger and keeper of apartments of ditto.	75	-	-
22	Michael Quin -	Salary as doorkeeper and office servant as ditto	75	-	-
23	William Smith -	Ditto as clerk of the Legislative Council -	1,237	10	-
24	C. E. De Lery -	Ditto as assistant ditto - - - -	990	-	-
25	J. Voyer -	Ditto as writing clerk assistant to ditto -	618	15	-
26	John Sewell -	-- Ditto as gentleman usher of the black rod attending ditto.	202	10	-(d)
27	William Ginger -	Salary as serjeant at arms ditto - - -	135	-	-
28	Hugh M'Donald -	Ditto as doorkeeper ditto - - - -	37	10	-
29	Jane Brown -	Ditto as keeper of the apartments ditto -	74	5	-
30	L. J. Papineau -	Ditto as Speaker of the House of Assembly -	2,475	-	-(e)
31	W. B. Lindsay -	Ditto as clerk of ditto - - - -	1,237	10	-
32	Representatives of J. A. Bouthillier.	Ditto as assistant clerk of ditto - - -	493	8	-
33	G. B. Faribault -	- - - Ditto - - - - -	494	15	1
34	Samuel Waller -	Salary as English translator to ditto - -	21	4	2
35	G. W. Wickstead -	Ditto as ditto - - - - -	248	15	10
36	G. B. Faribault -	Ditto as French ditto - - - -	22	12	7
37	Henry Voyer -	Ditto as ditto - - - - -	228	3	10
38	Hugues Heney -	Ditto as law clerk to the House of Assembly -	246	4	2

(a) On the dismissal, in August 1836, of the office-keeper, the senior messenger, G. Cross, took his place, and was succeeded by the extra messenger St. Hill, which accounts for their names appearing twice in this List.

(b) Mr. Hale, under the instructions contained in his commission, deducts his salary from the monies that come into his hands.

(c) At the rate of 50 *l.* per annum.

(d) This gentleman being also postmaster of Quebec, was called upon to make his election, and resigned the situation of usher of the black rod on the 30th August 1837.

(e) Mr. Papineau has not taken up the warrants for any part of his salary since 1832.

No.	Names of Persons to whom Payment is to be made.	SERVICE.	Amount to be Paid. Sterling Dollar a' 4 s. 6 d.
39	Representatives of late Fras. Coulson.	-- Salary as serjeant-at-arms to House of Assembly.	135 - -
40	Thomas Amyot -	Ditto as clerk of the Crown to ditto - -	150 - -
41	Jonathan Sewell -	Ditto as chief justice of the province - -	3,625 - -
42	James Reid -	Ditto as ditto of Montreal - -	2,525 - -
43	Edward Bowen -	-- Ditto as one of the puisne judges of the Court of King's Bench at Quebec.	2,025 - -
44	Philip Panet -	Ditto as ditto - - - - -	2,025 - -
45	Elzear Bédard -	Ditto as ditto - - - - -	770 18 -
46	George Pyke -	Ditto as ditto at Montreal - - - - -	2,025 - -
47	J. R. Rolland -	Ditto as ditto - - - - -	2,025 - -
48	Samuel Gale -	Ditto as ditto - - - - -	1,896 3 3
49	J. R. Vallière de St. Real.	-- Ditto as provincial resident judge at Three Rivers.	2,025 - -
50	John Fletcher -	Salary as ditto at district of St. Francis -	1,125 - -
51	C. R. Ogden -	Ditto as Attorney-general at Quebec - -	825 - -
52	Michael O'Sullivan	Ditto as Solicitor-general - - - - -	550 - -
53	W. S. Sewell -	Ditto as sheriff of Quebec - - - - -	150 - -
54	J. G. Ogden -	Ditto as ditto at Three Rivers - - - - -	112 10 -
55	J. G. Ogden -	-- Compensation as ditto for extra duties under Acts 9 Geo. 4, c. 6, and 6 Geo. 4, c. 15.	15 15 -
56	Charles Whitcher -	Salary as sheriff of St. Francis - - - -	75 - -
57	W. S. Sewell -	Allowance for an executioner as ditto at Quebec	40 10 -
58	J. G. Ogden -	Ditto at Three Rivers - - - - -	40 10 -
59	B. A. Panet -	Salary as coroner for the district of Quebec -	150 - -
60	J. M. Mondelet -	Ditto at Montreal - - - - -	150 - -
61	Valere Guillet -	Ditto at Three Rivers - - - - -	20 2 9
62	T. W. Willan -	Ditto as clerk of the Crown at Quebec - -	60 - -
63	A. M. De Lisle -	Ditto at Montreal - - - - -	60 - -
64	W. C. H. Coffin -	Ditto at Three Rivers - - - - -	30 - -
65	Edward Desbarats	-- Allowance as clerk of the court of appeals for stationery.	9 - -
66	Samuel Hill -	Salary as usher of the court of appeals - -	40 10 -
67	Simeon Le Lievre -	Ditto as interpreter to the courts at Quebec -	60 - -
68	Richard Dillon -	Ditto at Montreal - - - - -	60 - -
69	J. C. Fearon -	Ditto at Three Rivers - - - - -	37 10 -
70	William Downes -	Ditto as high constable at Quebec - - -	54 - -
71	Benjamin De Lisle	Ditto at Montreal - - - - -	54 - -
72	Philip Burns -	Ditto at Three Rivers - - - - -	40 10 -
73	Samuel Hill -	-- Ditto as crier of the criminal courts of King's Bench at Quebec.	30 - -
74	Samuel Hill -	Salary as tipstaff to ditto - - - - -	27 - -
75	Pierre Portugais -	Ditto as ditto at Three Rivers - - - - -	37 10 -
76	Jos. Tardif -	Ditto as keeper of the court-house at Quebec	81 - -
77	H. O. Donahue -	Ditto as ditto at Montreal - - - - -	108 - -
78	Pierre Portugais -	Ditto as ditto at Three Rivers - - - - -	54 - -
79	C. M. Hyndman -	Ditto as keeper of the court-hall at Sherbrooke	58 10 -
80	John Jeffreys -	Ditto as ditto of gaol at Quebec - - - -	187 10 -
81	John Jeffreys -	Allowance as ditto for two turnkeys - - -	108 - -
82	Charles Wand -	Salary as keeper of gaol at Montreal - - -	117 2 6
83	Charles Wand -	Allowance for two turnkeys as ditto - - -	67 9 3
84	R. Gennis -	Salary as keeper of gaol at Three Rivers -	82 10 -
85	R. Gennis -	Allowance as ditto for two turnkeys - - -	108 - -
86	Patrick Read -	Salary as keeper of gaol at Sherbrooke - -	37 10 -
87	Thomas Fargues -	Salary as physician attending the gaol at Quebec.	100 - -
88	Daniel Arnoldi -	Ditto at Montreal - - - - -	100 - -
89	George Carter -	Ditto at Three Rivers - - - - -	50 - -
90	Mrs. Dunn -	Pension - - - - -	750 - -
91	Mrs. Baby -	Ditto - - - - -	225 - -
92	H. W. Ryland -	Ditto - - - - -	900 - -
93	H. W. Ryland -	-- As lawful attorney of the representatives of the late Sir George Pownal, being his arrears of pension.	163 19 5
94	Mrs. M. Le Maistre	Pension - - - - -	75 - -
95	Miss De Louvière	Ditto - - - - -	32 8 -
96	Mrs. Rottot -	Ditto - - - - -	54 - -
97	Henry Harwood -	Ditto - - - - -	45 - -

No. 41.
Earl of Gosford to
Lord Glenelg,
25 October 1837.

Enclosure 2, in
No. 41.

No. 41.
Earl of Gosford to
Lord Glenelg,
25 October 1837.

Enclosure 2, in
No. 41.

No.	Names of Persons to whom Payment is to be made.	SERVICE.	Amount to be Paid, Sterling Dollar a' 4s. 6d.		
			£.	s.	d.
98	Miss Finlay -	Pension - - - - -	30	-	-
99	Miss Mackay -	Ditto - - - - -	27	-	-
100	Miss Desbarats -	Ditto - - - - -	27	-	-
101	Miss M. A. Monti- zambert.	Ditto - - - - -	15	-	-
102	Miss L. Montizam- bert.	Ditto - - - - -	15	-	-
103	Miss G. Launiere -	Ditto - - - - -	15	-	-
104	Miss M. Launiere -	Ditto - - - - -	15	-	-
105	Miss E. Launiere -	Ditto - - - - -	15	-	-
106	Miss G. Schindler	Ditto - - - - -	7	10	-
107	Joseph Bouchette	Salary as surveyor-general - - -	1,237	10	-
108	William Sax -	Ditto as 1st clerk in office of ditto - -	274	-	-
109	Henry Ball -	Ditto as 2d ditto - - - - -	187	14	2
110	Joseph Bouchette	Allowance for stationery as surveyor-general -	30	-	-
111	Joseph Bouchette	Ditto for office servant - - - - -	60	-	-
112	F. Vassal de Mon- viel.	Salary as adjutant-general of militia - -	1,137	10	-
113	S. J. Duchesnay -	Salary as deputy adjutant-general of militia -	742	10	-
114	F. Vassal de Mon- viel.	Allowance as adjutant-general for a clerk -	57	4	3
115	F. Vassal de Mon- viel.	Ditto for a messenger - - - - -	90	8	5
116	E. W. R. Antrobus	Salary as grand voyer for district of Quebec -	412	10	-
117	P. L. Panet -	Ditto - - - - - Montreal - - -	225	-	-
118	Hugues Heney -	Ditto - - - - - Three Rivers - - -	247	10	-
119	Hon. F. W. Prim- rose.	Ditto as clerk of the Terrars - - - - -	247	10	-
120	Rev. R. R. Burrage	-- Ditto as master of the grammar-school at Quebec.	100	-	-
121	Rev. R. R. Burrage	Allowance for house-rent as ditto - - -	135	-	-
122	Alexander Shakel -	-- Salary as master of the grammar-school at Montreal.	100	-	-
123	Alexander Shakel -	Allowance for house-rent as ditto - - -	81	-	-
124	Rev. R. R. Burrage	-- Allowance as secretary to the Royal Insti- tution for a clerk and contingencies.	18	-	-
TOTAL - - - £.			53,638	4	8

Enclosure 3, in No. 41.

(LIST No. 2.)

Enclosure 3, in
No. 41.

LIST of Persons to whom Payments are to be made out of the Sum granted by the Imperial Parliament of Great Britain and Ireland, in its late Session, towards defraying the Arrears of Expenses of the Civil Government of Lower Canada, being the Balances due to these several Persons for Contingent Expenses for the under-mentioned Services, up to 10th April 1837, inclusive. Paid by the Governor's Warrant on the Commissary-general, No. 6.

No.	Names of Persons to whom Payment is to be made.	SERVICES.	Amount payable in Sterling Dollars, a' 4s. 6d.		
			£.	s.	d.
1	Pierre Vachon -	-- For joiners' and other work done in the civil offices of Government.	43	6	8
2	Dominick Daly -	-- Contingent expenses of his office of pro- vincial secretary.	474	16	8
3	Aug. Jourdin -	-- For services and disbursements attending the depositing monies in the receiver-general's vault under three locks.	15	18	2
4	Michael O'Sullivan	-- Balance of his contingent accounts for services as solicitor-general.	155	18	4

No.	Names of Persons to whom Payment is to be made.	SERVICES.	Amount payable in Sterling Dollars, a' 4s. 6 d.
5	A. R. Hamel -	-- Amount of his contingent accounts as advocate-general.	£. 17 7 3
6	Roch de St. Ours -	-- Balance of his contingent expenses as sheriff of Montreal (a).	784 6 9
7	Wm. S. Sewell -	Ditto of ditto as ditto of Quebec - -	2,106 9 3
8	Isaac G. Ogden -	Ditto of ditto as ditto of Three Rivers - -	714 17 7
9	Charles Whitcher -	Ditto of ditto as ditto of St. Francis - -	53 2 3
10	B. A. Panet -	Ditto of ditto as coroner at Quebec - -	780 18 1
11	J. M. Mondelet -	Ditto of ditto as ditto at Montreal - -	280 17 3
12	Valère Guillet -	Ditto of ditto as ditto at Three Rivers - -	25 19 7
13	T. W. Willan -	Ditto of ditto as clerk of the Crown at Quebec	294 5 2
14	A. M. De Lisle -	Ditto of ditto as ditto at Montreal - -	314 15 7
15	Wm. C. H. Coffin -	Ditto of ditto as ditto at Three Rivers - -	72 7 -
16	Perrault & Burroughs -	Ditto of ditto as prothonotaries at Quebec -	150 1 9
17	Monk and Morrogh -	Ditto of ditto as ditto at Montreal - -	469 6 11
18	W. C. H. Coffin -	Ditto of ditto as prothonotary at Three Rivers	182 7 -
19	Wm. Bell -	Ditto of ditto as ditto in St. Francis - -	10 - 6
20	Perrault and Scott -	Ditto of ditto as clerks of the peace at Quebec	1,393 6 10
21	De Lisle and De Lisle.	Ditto of ditto as ditto at Montreal - -	1,706 14 3
22	N. S. Turcotte -	Ditto of ditto as clerk at Three Rivers - -	154 10 4
23	Philip Burns -	-- Ditto of ditto for services as high constable at Three Rivers during the criminal terms of the Court of King's Bench.	38 5 10
24	William Bell -	-- Ditto of ditto as clerk of the peace for the district of St. Francis.	6 9 -
25	Benjamin J. Shiller -	-- Ditto of ditto for having care of Crown witnesses during the criminal terms of the Court of King's Bench at Montreal.	40 10 -
26	William Downes -	-- Ditto of ditto for services as high constable at Quebec during the criminal terms of the Court of King's Bench.	36 13 5
27	Fisher and Kemble -	-- Amount of their account for printing done for and stationery furnished the office of the adjutant-general of militia.	136 6 3
28	A. Engelbach -	-- To enable him to pay for expenses incurred in works and repairs at the Castle of St. Lewis.	1,072 12 2
29	R. Robertson -	-- Amount of his accounts for work and repairs done to the Government-house at Montreal.	193 2 11
30	Alexander Miller -	-- For keeping up the winter roads in front of the several public buildings and lots within the city of Quebec in the winter 1836-37.	27 - -
31	Hon. F. W. Primrose -	-- Amount of his commission on the amount of quints and lods et ventes paid to the receiver-general.	299 6 -
32	S. Walcott, civil secretary.	-- To reimburse him so much paid for the preparation of and making four copies of the Blue Book for 1836.	31 10 -
		£. 12,083 8 9	
	Deputy postmaster-general.	-- Amount of warrant for postages accounts against the civil secretary, surveyor-general, and adjutant-general of militia, from 11th October 1833 to 5th April 1837.	4,048 8 -
		TOTAL - - £. 16,131 16 9	

No. 41.
Earl of Gosford to
Lord Glenelg,
25 October 1837.

Enclosure 3, in
No. 41.

(a) Outstanding accounts of the shrievalty, not ascertained when the late sheriff was paid on his dismissal, on the 1st of April 1837.

— No. 42. —

No. 42.

Earl of Gosford to
Lord Glenelg,
21 October 1837.

COPY of a DESPATCH from the Earl of Gosford to Lord Glenelg.

My Lord,

Castle of St. Lewis, Quebec, 21 October 1837.

WITH reference to my communication of the 12th instant, I have now the honour to acquaint you, that on the 18th, the day on which Messrs. Debartzch, Quesnel, and Sheppard were sworn in as executive councillors, (Messrs. Pemberton and Panet having previously taken the oaths of office,) I brought before the new council, consisting of Messrs. Jno. Stewart, H. Heney, G. Pemberton, L. Panet, and the three members above named, the present state of the province; and for the purpose of more distinctly eliciting their opinions, I submitted for their consideration and advice the several points contained in the Minute, of which a copy is enclosed. On the evening of the 19th, the council furnished me with the result of their deliberations; but as there appeared to me to be some inconsistency in that part of their recommendations respecting the suspension of the Constitutional Act, I placed before them on the 20th certain other questions, which your Lordship will find in Enclosure, No. 3, and which produced the further report, a copy of which is herewith transmitted.

These reports corroborate the views and opinions I expressed in the despatch to which I have above referred your Lordship, and I need not now enter into a consideration of their contents. The documents speak for themselves, and will put you in possession of the deliberate and unanimous conviction of men of different origins and of various shades of political opinions, deeply interested in the prosperity and welfare of the country, and possessing an intimate knowledge of past and passing events, and the state and feelings of parties at the present moment, and the majority of whom are too fresh in office to have had their judgments warped by continued official contact with executive views and influences.

I shall only add, that as far as the recommendations of the Council depend for their execution upon the action of the local Government, I shall, using all prudence and caution, endeavour to give to them effect without any unnecessary delay. I have accordingly written to Sir John Colborne, to consult with him as to the practicability and expediency of increasing the military force here by drafts, if they can be spared, from the Lower Provinces; and I propose to make additions to the existing commissions of the peace, and to appoint one or two stipendiary magistrates as soon as I can select fit and qualified persons for the duty.

With respect to the recommendation for enforcing the oath of allegiance on all Her Majesty's Canadian subjects, as a test of their political principles, and of adopting coercive measures against aliens, I must take some further time for consideration on these points.

I have, &c.
(signed) Gosford.

Enclosures in No. 42.

(No. 1.)

Enclosures in
No. 42.

POINTS on which the Governor-in-Chief would wish to receive the Opinion and Advice of the Executive Council.

1. AFTER the reiterated but fruitless efforts made by the present Administration for the last two years, efforts founded on a conciliating and impartial policy, can it be expected that, without further intervention of the Imperial Parliament, it is still practicable to re-establish that equilibrium between the components parts of the constitution which it was intended they should possess?

2. Should the intervention of the Imperial Parliament become absolutely necessary, as the only means, in the present state of the province, of restoring peace and tranquillity, will not, in consequence of the Assembly having during the two last sessions refused to assist in legislation, the suspension of the Constitutional Act and the Habeas Corpus Act be the mildest and the most efficacious measures for arresting the agitation that now distracts the country and threatens to destroy its established institutions?

3. Is

3. Is it advisable, while waiting for the opinion and action of Her Majesty's Government in England upon the result of our present deliberations, that the Executive Government should take steps to avail itself, if possible, of the presence here of a larger military force, in order, on the one hand, to discourage and restrain the efforts and designs of the seditious, and on the other, to encourage and give confidence to the well-disposed, and to the friends of order and tranquillity?

4. Does the Council think that the provincial Legislature would, in the present state of the country, be disposed to place in the hands of the Executive the necessary means for maintaining order, and that the present system of judicature is sufficient to bring to punishment those guilty of political offences?

5. Does the Council think that the commission of the peace, as at present composed, and under existing circumstances, answers the ends for which it is designed?

(No. 2.)

To his Excellency the Earl of Gosford, Captain General and Governor-in-Chief of the Province of Lower Canada, &c. &c. &c.

REPORT of a Committee of the whole Council, present, the Honourables Mr. Stewart, Mr. Heney, Mr. Pemberton, Mr. Panet, Mr. Debartzch, Mr. Quesnel, and Mr. Sheppard, on your Excellency's reference in Council of 19th instant.

May it please your Excellency,

THE committee have considered, with great attention, your Excellency's reference in Council, and having obtained information from the Attorney-general on some of the points referred, beg leave to submit the following report:

On the first point, the committee are humbly of opinion that there is no hope, under existing circumstances, to re-establish the equilibrium between the component parts of the constitution without the intervention of the Imperial Parliament.

With respect to that part of the second point which relates to the suspension of the Habeas Corpus Act, the committee have no hesitation in recommending that the Executive Government may be invested with the power of suspending the same when such shall be deemed necessary, and in the opinion of the committee this is one of the mildest means of strengthening its hands; but, as regards the suspension of the Constitutional Act, 31 Geo. 3, c. 31, the committee are not prepared to recommend its immediate adoption, although during the virtual abolition of that Act by the declaration of the House of Assembly that they would not proceed to the dispatch of the public business, until the Legislative Council was made elective, it becomes absolutely necessary that the Executive Government should be made independent of the House of Assembly, and enabled to carry on the government of the province without the assistance of the legislative body, until such time as the tranquillity of the country shall be re-established, and the public mind, now agitated and deceived by factious and designing men, shall be disabused and restored to a healthy state.

On the third point, the committee would advise that the Executive Government avail itself of the military force within its power, by a judicious disposition of the same in the first instance, and of their services afterwards, in case of necessity. The presence of a sufficient number of troops would essentially tend to discourage and restrain the seditious, while it would inspire confidence in the loyal and well-disposed portion of Her Majesty's subjects.

On the fourth point, the committee see no reason to suppose that the Legislature if called together would place in the hands of the Executive Government means of maintaining order, and that in the present feelings of the people, more especially in the district of Montreal, it would be difficult to procure a conviction for political offences in the ordinary course of law.

On the fifth and last point, the committee are of opinion that the commission of the peace is inefficient, inasmuch as several parts of the country are without magistrates, and that in the towns there is a general want of that activity which is necessary to meet the emergency of the times. The committee would therefore suggest the expediency of establishing a police office in each of the cities of Quebec and Montreal, and town of Three Rivers, to consist of a stipendiary magistrate, qualified according to the existing law, with a requisite number of peace officers, which, in the opinion of the committee, would, with proper vigilance, greatly tend to the apprehension of all disturbers of the peace, and thereby insure more tranquillity in the different districts.

Before concluding their report, the committee would respectfully call your Excellency's attention to the expediency of an inquiry respecting aliens resident in the province, especially those that may be engaged in seditious practices, and whether it may not be advisable to call upon all suspected persons, or to enjoin Her Majesty's subjects generally to take the oath of allegiance as a test of their political principles; and the committee humbly recommend that the Crown officers of the law and the magistrates should be supported and encouraged in the execution of their respective duties, and that every means should be afforded to them for the more ready apprehension of offenders against the peace of Her Majesty's Government.

All which is respectfully submitted to your Excellency's wisdom.

(By order.)

(signed) J. Stewart, Chairman.

Council Chambers, 20 October 1837.

No. 42.

Earl of Gosford to
Lord Glenelg,
21 October 1837.

Enclosures in
No. 42.

No. 42.

Earl of Gosford to
Lord Glenelg,
21 October 1837.

Enclosures in
No. 42.

(No. 3.)

(Extract.)

THE Council having yesterday reported to the Governor-in-Chief that they are not prepared to recommend the immediate suspension of the Constitutional Act, but having given it as their opinion that during the virtual abolition of that Act by the declaration of the House of Assembly, that they would not proceed to the dispatch of public business till the Legislative Council was made elective, it becomes absolutely necessary that the Executive Government should be made independent of the House of Assembly, and be enabled to carry on the Government without the assistance of the legislative body until the tranquillity of the country be re-established:

The Governor-in-Chief is desirous of learning from the Council in what manner, and by what means, the Executive Government could, under the existing constitution, be made independent of the House of Assembly, and be enabled to carry on the Government without the assistance of the Legislature.

(No. 4.)

To his Excellency the Earl of *Gosford*, Captain-general and Governor-in-Chief of the Province of Lower Canada, &c. &c. &c.

Report of a Committee of the whole Council; present, the honourables Mr. Stewart, Mr. Heney, Mr. Pemberton, Mr. Panet, Mr. Debartzch, Mr. Quesnel, and Mr. Sheppard on your Excellency's Order of Reference in Council this day.

May it please your Excellency,

THE committee having re-considered their report of yesterday, with reference to the papers referred therewith by your Excellency this day in Council, beg leave to state, in explanation, that although they cannot recommend a total suspension of the Constitutional Act, they would respectfully suggest that it is advisable to suspend for a limited time such parts thereof as relate to the calling and meeting of the Provincial Parliament, and that, in the interim, the Local Government should be authorized to revive such laws as it may deem necessary, and which may have expired within the last two years, and to continue those that may hereafter expire.

The committee would further recommend the repeal of the Imperial Act of the 1st and 2d Will. 4, c. in order to enable the executive to defray the expenses of the civil government, and of the administration of justice.

Under the actual circumstances of the province the committee consider it inexpedient to suggest any further alterations in the Constitutional Act.

All which is respectfully submitted to your Excellency's wisdom.

(By order,)

(signed) *J. Stewart*,
Chairman.

Council Chambers, 21 October 1837.

— No. 43. —

No. 43.

Earl of Gosford to
Lord Glenelg,
30 October 1837.

COPY of a DESPATCH from the Earl of *Gosford* to Lord *Glenelg*.

(No. 113.)

My Lord,

Castle of St. Lewis, Quebec, 30 October 1837.

I LOSE no time in transmitting, for your information, the first detailed account of what passed at the meeting of the Six Counties, as it is called, that took place at St. Charles, in the county of Richelieu, on the 23d instant, as reported in the enclosed copy of the *Vindicator* newspaper, which reached me to day. Your Lordship will perceive that 13 resolutions were adopted, which I need not stop to characterize. They will show the views of the leaders of this party, and to what lengths they profess themselves ready to go; but I believe they will not succeed in persuading the mass of their countrymen to follow and actively support them. Mr. Papineau, and several of his principal abettors, were present, and made violent speeches; Mr. Malhiot, the legislative councillor, was also there for the purpose, I understand, of opposing some of the resolutions. There are various reports as to the numbers who attended the meeting; the organs of the agitators represent them at about 5,000, including nearly 100 armed men, but other public prints state them at under 1,000; and from the accounts that have

Enclosure No. 1.
27 Oct. 1837.

have reached me from private individuals who were present on the occasion, 1,500 would seem to be a very liberal allowance. I understand that there were about 60 men who had fire-arms, and that there was a small piece of cannon on the ground, a four-pounder, which, with the small arms, was occasionally discharged. I also enclose a copy of the Quebec Gazette, containing a report of the proceedings, resolutions, and speeches of a meeting of the Constitutionals, which took place on the same day in the city of Montreal. Here too there is a difference of statement respecting the number present, one party making it as great and the other as small as possible. I should be inclined to think that about 4,000 would approximate to the truth.

I likewise forward a document of much importance in the present state of affairs, and which I hope will produce very beneficial results. This is a pastoral letter which the recently appointed Roman-catholic Bishop of Montreal has addressed to the clergy of his diocese, and which I understand was to be publicly read yesterday in the several churches throughout the district of Montreal.

With religion, law, and the loyalty of the great bulk of the population opposed to them, the party now fomenting sedition and treason, although they may, if not checked, create local and temporary confusion, are not likely to meet with the success which, from the boldness of their proceedings, they seem to anticipate. Their great strength lies in activity, and the artful and unscrupulous misrepresentations with which they delude and excite their more ignorant countrymen; and it is evident that one of the main objects of all the recent meetings and proceedings is to produce an effect in England, and to intimidate, as they hope, the imperial and local authorities.

I have, &c.
(signed) Gosford.

Enclosures in No. 43.

(No. 1.)

From the Vindicator, 27 Oct. 1837.

THE following is a copy of the proceedings of the Six Counties up to the evening of Monday the 23d instant.

Preparatory Proceedings.

At a preliminary meeting of the delegates, holden at Ducharme's Hotel, at the village of St. Charles, on the 22d instant, for the purpose of preparing resolutions to be presented to the meeting of the counties of St. Hyacinthe, Richelieu, Rouville, Verchères and Chambly, to be holden on the morrow, in the said village.

On motion of E. Cartier, esq., seconded by Jos. Vincent, esq., it was resolved,

That a committee of 26, of which five shall be a quorum, be now named, to prepare resolutions to be proposed to the meeting of the Five Counties on to-morrow; that the said committee do sit at half-past five o'clock P. M., and that it be composed of the following gentlemen: L. C. Duvert, Boucher-Belleville, J. B. C. Durocher, S. Marchesseau, Dr. Congigny, R. Boileau, Jos. Vincent, X. Tetreau, B. Chagnon, M. Guertin, A. Girod, J. T. Drolet, Jos. Jeannot, J. B. Bougret, C. Cartier, H. Cartier, J. Jacques, M. Levêque, Capt. Freniere, Capt. Robitaille, Capt. Brodeur, F. Hebert, Jos. Benoit, Jos. Dyon, Dr. Duvert, A. Ducharme, and that the Hon. L. J. Papineau, E. B. O'Callaghan, G. Cartier, R. Hubert, and the representatives of the Five Counties, be members of the said committee.

On motion of R. Boileau, esq., seconded by Mr. S. Marchesseau,

Resolved, That the said Committee do report to the delegates of the several parishes of the Five Counties on to-morrow at 10 o'clock P. M. Adjourned.

St. Charles, 23d October, 10 o'clock, P. M.

The delegates having assembled according to adjournment, at Ducharme's Hotel, the committee named yesterday to prepare resolutions, submitted the same. They were unanimously received, and the meeting adjourned at noon to the meadow belonging to Dr. Duvert, on the bank of the River Chambly.

Proceedings of the General Meeting.

Twelve o'Clock.

At a general meeting of the Five Counties of Richelieu, St. Hyacinthe, Rouville, Chambly, and Verchères, duly convoked and holden at St. Charles, on Monday, 23d October 1837,

Wolfred

No. 43.

Earl of Gosford to
Lord Glenelg,
30 October 1837.

Enclosure No. 2.
30 Oct. 1837.

Enclosure No. 3.

Enclosures in
No. 43.

No. 43.
Earl of Gosford to
Lord Glenelg,
30 October 1837.

Enclosures in
No. 43.

Wolfred Nelson, esq., of St. Denis, in the chair, F. C. Duvert, esq., of St. Charles, and Jos. T. Drolet, esq., of St. Marc, M. P. P., vice-presidents; Messrs. Girod, of Varennes, and J. P. Boucher-Belleville, of St. Charles, secretaries.

A deputation from the county of L'Acadie, presided by C. H. O. Cote, esq., M. P. P., came forward, and laid before the meeting certain documents, praying that the said county be admitted into the confederation of the Five Counties; and the same being read, are as follows:

Committee of Vigilance.

St. Cyprian, 15 October 1837.

Resolved, 8. That the county of L'Acadie, by its geographical position, ought to be united with the five counties of Chambly, Verchères, Richelieu, St. Hyacinthe, and Rouville, and that a memorial to that effect be presented from this county to the president of the meeting of the Five Counties, to be holden on the 23d instant, at the village of St. Charles.

Resolved, 9. That C. H. O. Cote, C. Huot, and J. B. Lukin, esqrs., draft the said memorial, and transmit the same, duly signed, to the president at the meeting of the Five Counties above-mentioned.

Resolved, 10. That M. Hotchkiss, C. H. O. Cote, A. Merizzi, J. Bouchard, C. Roy, J. B. Dozois, J. B. Hebert, F. Trepannier, Frs. Ranger, C. Hebert, F. Bigonnesse, J. B. Paradis, senior, and C. Lucier, represent the county of L'Acadie at the said meeting of the Five Counties, and present from this county the address which shall be prepared by the before-mentioned committee.

(A true Extract.)

L. Lachapelle, Secretary.

The following is a copy of the

ADDRESS

To the Electors of the Counties of *Richelieu, Verchères, St. Hyacinthe, Chambly, and Rouville.*

Fellow Citizens:—You meet together at a time of extraordinary moment, to proclaim your rights, to lessen the tyranny of a government for ever odious to every good patriot of Canada. How noble is the example which you this day give! How strong is the admiration of your fellow-citizens! Doubt not posterity will remember your civic virtues. The country once disembarassed of the burden which now oppresses it, will celebrate with pomp and gratitude the anniversary of this happy day whereupon you all assemble to deliberate on your most sacred interests.

For us, fellow-citizens, after offering to the Eternal our fervent prayers for the sacred cause of our common country, we are prepared to sacrifice everything most dear to us in the world, to emancipate from a vile slavery the land which gave us birth, which now supports us, which contains our families, our property, and the ashes of our fathers, and which is destined by nature to receive our mortal remains when we cease to live.

Empowered by the electors of the county of L'Acadie to address you, we cannot allow this splendid opportunity to pass without doing you the justice to which you are entitled. Your pure and independent patriotism has been our admiration, and we joyfully declare here that the most of our proceedings have sprung from the fine example which one of your counties (Richelieu), has never ceased to give to the whole province, in the struggle which rages in this country between haughty aristocracy and invincible democracy.

The mass of the people of this province repudiate the former, to enrol themselves altogether under the flag of the latter. Sprung as we are from that people whose rights we cherish, living among our countrymen whose sole desire is happiness and equality for all, feeling the most profound disgust for all that tends towards aristocracy, whose sole motive appears to be the oppression of the greater for the advantage of the smaller number, we entertain no other principles than those of the purest democracy. In vain does the corrupt aristocracy of England desire to establish its dominion in the Canadas. The people will never consent thereto. Their cry shall ever be for freedom, the bread of life, and against despotism, the food of vile slaves. The people are made to dominate and not to be dragooned. Their voice should be heard; their will consulted; their laws respected; and their orders obeyed.

The shameful and degrading system which the metropolitan state has constantly pursued in respect to us, deprives us of all hope of justice. Its recent injustice in rifling our public treasure, demonstrates that we are no longer safe in this colony. Fellow citizens! if our lives have not yet been openly attacked, it is because our geographical position keeps our enemies in check. Unfortunate Ireland, rich by nature, impoverished by the iron yoke which now oppresses her, is a striking example of what our cowardly enemies would dare do, if they feared not the neighbourhood of a republic jealous of the rights of man.

Let us then rally, from one extremity of the province to the other. Let us prove to the world that we are men who deserve to be independent. Let us make our enemies feel that if they have no respect for the justice of our complaints, one means still is within our reach, to oblige them to pause in their iniquitous projects.

The

The noble example, fellow citizens, which you have given, by uniting into one confederation your five counties, has suggested to the electors of the county of L'Acadie the propriety of soliciting the admission of their county into that confederation, and such is the honour which we now demand at your hands. Authorized to make this demand in the name of the electors of that county, we would remark that the geographical position of the county which we represent requires its adhesion to yours. Forget not the patriotism of the inhabitants of that county. Shamefully deceived at a first election, they since nobly vindicated themselves by a second choice. They also have had their share of the vindictive persecutions of a Governor too weak and incapable to hold the reins of the government of this province. His ill-timed and imbecile proclamation has everywhere excited the contempt of honest men. Our brothers, the working men of London, could not suppress an expression of pity on the perusal of that puling document destined to tarnish the reputation of honest men venerated by the country. Those unjust and arbitrary persecutions have had the effect in this part of the district to stimulate the lukewarm; to increase twofold the activity of zealous patriots, and to cover the provincial government with the most profound contempt, as Lord John Russell's iniquitous resolutions had already done the Metropolitan Government.

Brothers, in this critical period, so important for the future fate of our common country, we the deputies of the county of L'Acadie again demand admission into your confederation. The electors of our county shall never be surpassed in patriotism by any others; on the contrary, they will ever have before their eyes the motto of the worthy and brave Sons of Liberty—"Forward!"

Permit us, in conclusion, to observe, that as every corps has its chieftain, no person seems to us better qualified to conduct the patriotic phalanx than he who has passed his entire life in the talented defence of our rights and liberties, L. J. Papineau. Under his guidance, behind his buckler, the country will rise from the slough into which it has been plunged by a despotic government. Waiting for the day when the new star of Canada's happiness will arise, we offer our sincere wishes that prosperity may attend the holy work we have undertaken.

We are, fellow citizens, your brother democrats.

County of L'Acadie,
this 21st day of October 1837.

(signed) C. H. O. Cote.
C. Huot.
J. B. Lukin.

Wherefore it was resolved, on motion of Mr. Simeon Marchesseau, of St. Charles, seconded by Dr. Duchesnois.

That the citizens, electors of the Five Counties, admit with pleasure into their confederation their brave fellow-citizens of the county of L'Acadie.

Ordered, That the address from the county of L'Acadie, presented to this meeting, be entered at length on the minutes of this meeting.

Ordered, That the apologies from Majors J. Bertrand and Constant Cartier, esq., sen., of the parish of St. Margaret, of Blairfindie, for not being able to attend as delegates to this meeting on account of illness, be inserted on the minutes.

On motion of Mr. A. Girod, seconded by F. C. Duvert, esq.,

Resolved, That the counties of Laprairie and of Missisquoi be invited to join the confederation of these Six Counties, being, by their geographical position, destined to form part of the same, such counties participating the same political opinions and the same patriotic principles as these counties profess.

Resolutions on the State of the Province.

On motion of Wolfred Nelson, esq., of St. Denis, seconded by Dr. Davignon, of St. Marie,

Resolved, 1. That, in accordance with the example of the wise men and heroes of 1776, we hold as self evident and repeat the following truths: That all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among the number of these rights are life, liberty, and the pursuit of happiness; that it is for the protection and security of these rights that governments were instituted among men, deriving their just authority only from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, or to institute a new government, laying its foundation on such principles, and organizing its powers after such form, as to them shall seem best adapted to secure their safety and happiness.

On motion of René Boileau, esq., of Chambly, seconded by Captain Vincent, of Longueuil,

Resolved, 2. That the authority of Great Britain over the Canadas cannot and should not continue, except by the goodwill of their inhabitants, and cannot rest on brute force, which confers no rights, but gives an unjust power, which can exist only until the day of successful resistance; that the people have, *à fortiori*, the right to demand and to obtain, as a condition of their voluntary allegiance, such changes and improvements in the form of their government as their wants, the progress of their country since 1791, and their present condition, render necessary for their contentment and well-being.

No. 43.

Earl of Gosford to
Lord Glenelg,
30 October 1837.

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On motion of Louis Marchand, esq., of St. Mathias, seconded by Mr. Jean Marie Tetreau, of St. Hilaire,

Resolved, 3. That the arbitrary dismissals from office, ordered by the Governor-in-Chief during the last three months, and which have not yet ceased, but still daily continue, against a number of justices of the peace, officers of militia, and commissioners for the summary trial of small causes throughout the parishes, for having taken a part in the proceedings of county meetings holden by the people for the vindication of their invaded rights, proves, to a demonstration, that his Excellency unworthily abuses the prerogative of the Crown, with a view to remove from such offices those who, having filled them with integrity and independence, had obtained for themselves the esteem and confidence of the public, and for the law the respect and attachment of the people, in order to replace them by servile instruments, disposed to favour his violent policy, even under the weight of the universal contempt of their fellow-citizens.

On motion of L. Lacosté, esq., of Longueuil, M. P. P., seconded by Thimothée Franchère, of St. Mathias,

Resolved, 4. That it is of urgent necessity, under such lamentable circumstances, to replace the individuals whom an administration inimical to the country will name to those offices, by men worthy of confidence; that all the parishes of the Six Counties are hereby invited simultaneously to elect, between the first day of December and the first day of January next, pacificator justices of the peace and officers of militia; and that the regulations of the county of Two Mountains be provisionally adopted for their direction and jurisdiction.

On motion of J. T. Drolet, esq., of St. Marc, M. P. P., seconded by Dr. Duchesnois, of Varennes,

Resolved, 5. That under the penalties laid down in the said regulations, and under the more powerful bonds of honour, the reformers of the Six Counties will at the same time obey and assist to the utmost the officers by them so chosen; they will systematically oppose such officers as shall be named by Lord Gosford, from this day to the day of his departure from the province, refusing their confidence to them, lending them no cordial aid, obeying their orders only in such cases as they cannot dispense with doing so without a manifest violation of the laws; and subscribing funds to prosecute and punish them in all cases where they render themselves guilty of an abuse of power.

On motion of Dr. Duvert, of St. Charles, seconded by Dr. Allard, of Belcœil,

Resolved, 6. That the Inhabitants of the Six Counties of right expected that the province would not be continually deprived of the benefits of a local legislature; that the Legislative Council would be improved in such a manner as to secure its co-operation with the representative branch of the Legislature, and its respect for the wants and wishes of the mass of the people; that so far from these just expectations having been realized, a number of persons have lately been called to sit in that Council who, with scarce an exception, not only do not enjoy public confidence, but have rendered themselves in every respect unworthy thereof, and who by their conduct and public opinions have rendered themselves odious to the country.

On motion of P. Amiot, esq., of Verchères, M. P. P., seconded by Capt. Bonin, of St. Ours,

Resolved, 7. That this meeting declares that the late nominations to the Executive Council of this province are equally unworthy of public confidence with those to the Legislative Council; that they are the more scandalous, inasmuch as they continue pluralities in office, one of the abuses which Lord Gosford had himself denounced, both as Governor-in-Chief and Royal Commissioner, and as they confide to the same hands legislative, executive, and judiciary powers.

On motion of François Papineau, esq., of St. Césaire, seconded by Lieutenant Bonaventure Viger, of Boucherville,

Resolved, 8. That this meeting sees in these different nominations, nothing else but the continuation of the old system of fraud and deception, which has at length uprooted all feeling of confidence both in the metropolitan and colonial governments, and in the Legislative Council as at present constituted; another proof of inveterate hostility to the repeated demands of the country; an obstinate and tyrannical determination, on the part of Her Majesty's Government, to protect and perpetuate the abuses and grievances of which a people, already too patient, have complained.

On motion of Mr. Jean Cormier, of Contrecoeur, seconded by Mr. Clem. Gosselin, of St. Hilaire,

Resolved, 9. That the divers abuses and grievances under which this colony has for a long series of years complained, have been so often detailed by the representatives of the people, and admitted by Her Majesty's Government and the British Parliament, that it is now useless to recapitulate them here, inasmuch as they have been lately denounced by the people themselves in their respective county meetings, and the remedial measures therefor proposed, on all and each of which these Six Counties do insist anew.

On

On motion of Ls. Blanchard, esq., of St. Hyacinthe, M. P. P., seconded by Mr. Jos. Sené, of St. Damase,

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Resolved, 10. That instead of honestly redressing the said grievances and abuses, as in duty bound, the British Government and the two Houses of Imperial Parliament have threatened, and intend to annihilate the fundamental rights of this colony; in order to force the people into a base and abject submission to the oppressions which are preparing for them, recourse is had to the same system of coercion and terrorism which has already disgraced the history of British rule in Ireland; magistrates and militia officers, enjoying the confidence of their fellow-citizens, are insolently deprived of office, because they love their country too well to sanction an unconstitutional aggression, or to permit her liberties to be violated with impunity; and as a climax to our misfortunes, the present Governor-in-chief has recently introduced, in time of profound peace, a large body of armed troops into this province, to destroy, by physical force, all constitutional resistance, and to complete, by desolation and death, the work of tyranny already determined upon and authorized beyond the seas.

On motion of Mr. Laurent Bedard, of St. Simon, seconded by Isaie Boudreau, esq., of St. Marie.

Resolved, 11. That holding Lord Gosford guilty of an atrocious aggression against our liberties by the introduction of such armed force amongst us, and counting on the sympathy of our neighbours, the zealous co-operation of our brother reformers of Upper Canada, and on Providence, for a favourable opportunity of emancipating ourselves from the oppressive system under which we suffer, we declare that, commiserating the unhappy lot of the soldiers which our enemies desire to convert into the vile instruments of our slavery, and their own dishonour, the people of these counties will throw no obstacle in the way of the men belonging to the regiments stationed in this district, should they desire to improve their condition by emigrating to the neighbouring republic, especially as we have strong reason to believe that a number of those soldiers are waiting only for an opportunity to get rid of their present onerous and irksome profession.

On motion of Come Cartier, esq., of St. Antoine, seconded by Mr. Simeon Marchesseau, of St. Charles,

Resolved, 12. That this meeting approves of the organization of the political association entitled "The Sons of Liberty," and recommends the young men of these counties to organize themselves in the same manner, to form, in their respective parishes, branch societies of "The Sons of Liberty," and to maintain an active correspondence and frequent communication with "The Sons of Liberty," in Montreal, and to adopt the same systematic organization, so as to be prepared to support each other with promptitude and effect, should circumstances require them to protect and defend their threatened liberties.

On motion of Dr. Dorion, esq., of St. Ours, M. P. P., seconded by Mr. Eust. Gretton, of St. Marie,

Resolved, 13. That the delegates named by the different parishes of the Five Counties are requested to meet anew at this place to-morrow, at two o'clock in the afternoon, to consider such propositions as may be submitted to them.

Thanks having been voted to the chairman and other officers of the meeting, the assembly adjourned, after having given three cheers for Papineau, three cheers for Dr. Wfd. Nelson, and three cheers for the reformers of Upper Canada.

(signed) Wfd. Nelson, President.
J. T. Drolet, } Vice Presidents.
F. C. Duvert, }
A. Girod, } Secretaries.
J. P. Boucher-Belleville, }

End of the first day's proceedings.

(No. 2.)

Loyal Meeting at Montreal.

From the *Montreal Herald* of the 26th October.

Monday, 23d October 1837.

At one o'clock the meeting was organized, when Samuel Gerard, esq., proposed, and George Auldjo, esq., seconded, the nomination of the Hon. Peter M'Gill as chairman, which was carried by acclamation.

The first resolution was moved by W. Ritchie, esq., and seconded by John Jones, sen., esq., as follows:

Resolved, 1.—That all citizens have an equal right to the protection of the Government, which consists not merely in the suppression and punishment of disorder, but in the employment of adequate means to anticipate and prevent the commission of those crimes with which

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the social state may be threatened; and that by the machinations of a disorganizing and revolutionary faction in this province, acting partly by means of the turbulence and excitement of public meetings, at which the most unfounded and inflammatory speeches are delivered, and partly through the medium of a licentious press, which inundates the province with slander and sedition, public feeling has been excited, the foundations of social and moral order have been shaken, the Government has been brought into contempt, and the connexion between this province and the mother country attempted to be destroyed.

The second resolution was proposed and seconded, with a few preliminary observations, by George Auldjo, esq., and H. L. Routh, esq. B. A. C., as follows:

Resolved, 2.—That this meeting has seen with alarm that the prerogative of the Crown has been deliberately perverted by the appointment to offices of trust and responsibility of advocates of sedition and of enemies of the existing constitution of the province, and that the present excited state of public feeling has been promoted and encouraged by the injudicious and ineffectual attempts at conciliation of the Government.

The third resolution was moved by Henry Griffin, esq., and seconded by Charles Penner, esq., as follows:

Resolved, 3.—That as isolated individual exertion would be utterly inadequate to cope with all the evil energies now arrayed against public order and the public peace, and as those evils cannot be effectually prevented without the active, zealous and persevering co-operation of every good subject, which co-operation to be effectual must be the result of a regular and systematic union of individuals, this meeting considers it expedient that the loyal and well-disposed part of the community do form themselves into associations within their respective wards, for the purpose of organization and general concert in case of emergency or necessity; that the several associations do appoint their respective committees from among their resident members, to whom the local organization and management shall be entrusted, and that a sub-committee, consisting of two members from each ward committee, shall assemble to concert a general system of measures to be pursued in case of urban disturbance.

The fourth resolution was moved and seconded by John M. Tobin, esq., and James Logan, esq., as follows:

Resolved, 4.—That this meeting is persuaded that there exists no substantial cause for apprehension of a successful rebellion against the British Government, by the mass of our fellow-subjects of French origin, though the utmost activity and perseverance are employed to create disorder and sedition amongst them; but feeling that to guard against the pernicious influence of that activity and perseverance, and to arrest it, is the bounden duty of every good subject, this meeting calls upon their fellow-subjects throughout the province to organise themselves into local associations, as the most effectual means for the security of good order, the protection of life and property, and the maintenance of the connexion happily existing between this province and the British Empire.

James Holmes, esq., then moved the fifth resolution, which was seconded by Robert Armour, sen. esq., as follows:

Resolved, 5.—That this meeting seizes this present opportunity of declaring its opposition to the application of the elective principle to the Legislative Council of this Province, and of reiterating the claims of the inhabitants of Lower Canada of British origin to the abolition of the feudal tenure, and the establishment of an efficient system of registration for mortgages, the want of which has not only retarded the settlement and improvement of the province, but has rendered it conspicuous for its backward condition in comparison with our sister province.

Mr. M'Ginn moved the sixth and last resolution.

Resolved, 6.—That the Irish inhabitants of this city do hereby express their unqualified abhorrence of the low and base attempts that are making to draw them over to the revolutionary party, whose designs they consider inimical to all good government and to the safety and well-being of this province, and at the same time their readiness, should it ever be necessary, to repel by force those whose every action bespeaks them the enemies alike of themselves and their countrymen in general.

(No. 3.)

JEAN JACQUES LARTIGUE, Premier Evêque de Montréal, etc., au Clergé et à tous les Fidèles de Notre Diocèse, salut et bénédiction en Notre Seigneur.

Depuis longtemps, Nos Très Chers Frères, nous n'entendons parler que d'agitation, de révolte même, dans un Pays toujours renommé jusqu'à présent par sa loyauté, son esprit de paix, et son amour pour la religion de ses pères. On voit partout les frères s'élever contre leurs frères, les amis contre leurs amis, les citoyens contre leurs concitoyens; et la discorde, d'un bout à l'autre de ce diocèse, semble avoir brisé les liens de la charité qui unissoient entre eux les Membres d'un même corps, les enfants d'une même église, du Catholicisme qui est une religion d'unité. Dans des conjonctures aussi graves, notre seul parti ne peut être sans doute que de nous en tenir, je ne dis pas à l'opinion que nous, et nos fidèles coopérateurs dans

dans le saint ministère, aurions droit cependant d'émettre comme citoyens aussi bien que les autres, mais à l'obligation stricte que nous impose l'Apôtre des nations lorsqu'il disoit: Malheur à moi si je ne prêche pas l'Evangile; car la nécessité m'y oblige, *necessitas enim mihi incumbit*. Non, N. F. C. F. aucun de vous n'ignore que les devoirs des divers membres du corps social, aussi bien que ceux de la famille, appartiennent essentiellement à la morale Chrétienne; que cette morale divine fait partie du dépôt sacré de la foi, qui nous a été transmis par le canal très pur de l'Ecriture et de la tradition; et que nous sommes tenus de vous le transmettre aussi fidèlement en notre qualité de successeur des Apôtres.

Nous ne saurions d'ailleurs vous être suspect sous aucun rapport: comme chez vous, le sang Canadien coule dans nos veines: nous avons souvent donné des preuves de l'amour que nous avons pour notre chère et commune patrie; et ainsi que l'Apôtre, nous pourrions prendre Dieu à témoin que nous vous chérissons tous dans les entrailles de Jésus-Christ; vous savez enfin que nous n'avons jamais rien reçu du gouvernement civil, comme nous n'en attendons rien, que la justice due à tous les sujets Britanniques; et nous rendons témoignage à la vérité, quand nous attestons solennellement que nous vous parlons ici de notre propre mouvement, sans aucune impulsion étrangère, mais seulement par un motif de conscience.

Encore une fois, N. F. C. F. Nous ne vous donnerons pas notre sentiment, comme citoyen, sur cette question purement politique, qui a droit ou tort entre les diverses branches du pouvoir souverain; (ce sont de ces choses que Dieu a laissées aux disputes des hommes,) *mundum tradidit disputationi eorum*: mais la question morale, savoir quels sont les devoirs d'un Catholique à l'égard de la puissance civile, établie et constituée dans chaque état, cette question religieuse, dis-je, étant de notre ressort et de notre compétence, c'est à votre évêque à vous donner sans doute toute instruction nécessaire sur cette matière, et à vous de l'écouter; car, dit le célèbre Laménais, les évêques étant chargés par l'Esprit Saint de gouverner, sous la conduite du Souverain Pontife, l'Eglise de Dieu, nous faisons profession de croire qu'en tout ce qui tient à l'administration spirituelle de chaque diocèse, prêtres et laïcs doivent fidèlement obéir aux ordres de l'évêque institué par le Pape.

Voici donc ce que vous enseignent là-dessus les divines Ecritures. "Que tout le monde, dit St. Paul aux Romains, soit soumis aux puissances supérieures: car il n'y a point de puissance qui ne vienne de Dieu; et c'est lui qui a établi toutes celles qui existent. Celui donc qui s'oppose aux puissances, résiste à l'ordre de Dieu; et ceux qui y résistent, acquièrent pour eux-mêmes la damnation. Le prince est le ministre de Dieu pour procurer le bien; et comme ce n'est pas en vain qu'il porte le glaive, il est aussi son ministre pour punir le mal. Il vous est donc nécessaire de lui être soumis, non seulement par crainte du châtiment, mais aussi par un devoir de conscience. Soyez donc soumis, ajoute St. Pierre le chef des Apôtres, à toutes sortes de personnes par rapport à Dieu, soit au Roi, comme étant audessus des autres, soit aux chefs qu'il vous envoie pour punir les méchants et louer les bons; car telle est la volonté de Dieu. Etant libres, ne vous servez pas de cette liberté comme d'un voile pour couvrir de mauvaises actions; mais (agissez) comme des serviteurs de Dieu. Rendez honneur à tous, aimez vos frères, craignez Dieu, honorez le Roi. Serviteurs, soyez soumis et respectueux envers vos Maîtres, non seulement à l'égard de ceux qui sont bons et doux, mais aussi envers ceux qui sont bizarres et fâcheux; car c'est un effet de la grâce, si en vue de Dieu, l'on souffre avec patience d'injustes traitements."

Voilà, N. T. C. F., les oracles de l'Esprit Saint, tels que nous les trouvons dans la Sainte Bible; voilà la doctrine de Jésus-Christ, telle que les Apôtres Pierre et Paul l'avaient apprise de la propre bouche de leur divin Maître. Mais quelque claires que soient par elles-mêmes ces paroles de vérité, un Chrétien n'interprète jamais la parole de Dieu par son esprit privé: il sait que c'est un dogme fondamental de sa foi que, comme l'assure St. Pierre, les Saintes Ecritures ne doivent pas être entendues selon le sens particulier de chacun: et qu'il n'appartient qu'à l'Eglise Catholique, notre mère, de nous en donner l'intelligence, selon cette sentence de J. C. dans l'Evangile: celui qui n'écoute pas l'Eglise, regardez-le comme en payen et un publicain, *sit tibi sicut ethnicus et publicanus*. Or, le Pape actuel, Grégoire XVI., du haut de sa chaire pontificale, s'est expliqué sur ces textes de l'Ecriture: il a interprété, à la suite des Sts. Pères, et d'après la tradition perpétuelle de l'Eglise depuis son établissement jusqu'à nos jours, ces passages des livres saints que nous vous avons cités; et il en a dicté le vrai sens à l'univers Chrétien, dans son Encyclique du 15 Août 1832, qu'il adressa aux évêques du monde entier au commencement de son pontificat. Pas un seul évêque depuis cette époque n'a réclamé contre la doctrine de cette lettre, en sorte qu'elle a reçu l'assentiment, du moins tacite, de toute l'Eglise enseignante, et qu'on doit la regarder conséquemment comme une décision dogmatique.

"Comme nous avons appris, dit le St. Père, (car ici, ce n'est pas notre parole que vous allez entendre; c'est celle du Vicaire de J. C.) comme nous avons appris que des écrits semés parmi le peuple proclament certaines doctrines qui ébranlent la fidélité et la soumission dues aux princes, et qui allument partout les flambaux de la révolte, il faudra empêcher avec soin que les peuples ainsi trompés ne soient entraînés hors de la ligne de leurs devoirs. Que tous considèrent que, suivant l'avis de l'apôtre, il n'y a point de puissance qui ne vienne de Dieu. Ainsi, celui qui résiste à la puissance résiste à l'ordre de Dieu; et ceux qui résistent s'attirent la condamnation à eux-mêmes. Les lois divines et humaines s'élèvent donc contre ceux qui s'efforcent d'ébranler, par des trames de révolte et de sédition, la fidélité aux princes, et de les précipiter du trône. C'est pour cela, et afin de ne pas contracter une telle souillure, que les premiers Chrétiens, au milieu de la fureur des persécutions, surent cependant bien servir les empereurs, et travailler au salut de l'empire, comme il est certain qu'ils le firent.

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1 Cor. 9, 16.

Philip. 1, 3.

Eccles. 3, 11.

Act. 20, 28.
Déclaration présentée
au St. Siège par les
Rédacteurs de l'Avenir,
Journal de l'Avenir du
6 Février, 1831.

Rom. 13, 1, 2, 4, 5.

1 Petr. 2, 13, 14,
15, 16, 17, 18, 19.

2 Petr. 1, 20.

Math. 18, 17.

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St. Aug. in Psalm
124, No. 7.

2 Ruinart Act. 55.
Maurice et Comp.
No. 4.

Tertul. Apolog.
ch. 37.

Ils le prouvèrent admirablement, non seulement par leur fidélité à faire ce qui leur était ordonné, dès qu'il n'était pas contraire à la religion, mais encore en répandant même leur sang dans les combats.

« Les soldats Chrétiens, dit St. Augustin, servoient un empereur infidèle; mais s'il étoit question de la cause de J. C., ils ne reconnoissoient que celui qui est dans les cieux. Ils distinguoient le Maître éternel du Maître temporel: et cependant ils étoient soumis pour le Maître éternel même au Maître temporel. C'est ce qu'avoit devant les yeux l'invincible Martyr Maurice, chef de la légion Thébaine, lorsque, comme le rapporte St. Eucher, il répondit à l'empereur: Nous sommes vos soldats, Prince, mais en même tems serviteurs de Dieu; et maintenant même le danger où nous sommes de perdre la vie ne nous pousse point à la revolte; nous avons des armes, et nous ne résistons point; parceque nous aimons mieux mourir que de tuer. Cette fidélité des anciens Chrétiens brille avec bien plus d'éclat, si l'on remarque, avec Tertullien, qu'alors les Chrétiens ne manquoient, ni par le nombre, ni par la force, s'ils eussent voulu se montrer ennemis déclarés de l'état.

« Ces beaux exemples de soumission inviolable aux princes, que étoient une suite nécessaire des préceptes de la religion Chrétienne, condamnent l'erreur de ceux qui, enflammés d'ardeur pour une liberté effrénée, s'appliquent à ébranler et renverser les droits des puissances, tandis qu'au fond ils n'apportent aux peuples que la servitude sous le masque de la liberté. C'est là que tendoient les coupables desseins des Vaudois, des Bégards, des Wicléfistes, et des autres qui ont été si souvent frappés d'anathème par le Siège Apostolique; et ceux qui travaillent pour la même fin n'aspirent encore qu'à se féliciter avec Luther d'être libres à l'égard de tous et de toutes choses.

« Le devoir vous oblige, ajoute le même pontife dans son Bref de Juillet 1832 aux Evêques de Pologne, de veiller avec le plus grand soin à ce que des hommes mal-intentionnés, des propagateurs de fausses doctrines, ne répandent parmi vos troupeaux le germe de théories corruptrices. Ces hommes, prétextant leur zèle pour le bien public, abusent de la crédulité des gens de bonne foi qui, dans leur aveuglement, leur servent d'instruments pour troubler la paix, et renverser l'ordre établi. Il convient que, pour l'avantage et l'honneur des disciples de J. C. leurs fausses doctrines soient mises dans leur jour: il faut réfuter leurs principes par la parole immuable de l'Ecriture Sainte, et par les monuments authentiques de la tradition de l'Eglise.

Telle est la doctrine du Souverain Pasteur des âmes, du Pontife vénérable maintenant siégeant sur la Chaire éternelle, jointe à l'enseignement de l'Eglise de tous les tems et de tous les lieux; et vous devez voir à présent, N. T. C. F. que nous ne pouvions, sans blesser nos devoirs et sans mettre en danger votre propre salut, omettre d'éclairer votre conscience dans un pas si glissant. Car il ne s'agit pas ici de moins pour vous que de maintenir les lois de votre religion, ou de les abandonner, puisque, pour un Catholique, il ne saurait y avoir de partage en matière de foi; et que selon l'Apôtre St. Jacques, celui qui manque à un seul article de la loi, est coupable sur tous les autres points.

Ne vous laissez donc pas séduire, si quelqu'un vouloit vous engager à la rébellion contre le Gouvernement établi, sous prétexte que vous faites partie du peuple souverain: la trop fameuse convention nationale de France, quoique forcée d'admettre la souveraineté du peuple puisqu'elle lui devoit son existence, eut bien soin de condamner elle-même les insurrections populaires, en insérant dans la déclaration des droits en tête de la constitution de 1795, que la souveraineté réside, non dans une partie, ni même dans la majorité de peuple, mais dans l'universalité des citoyens; ajoutant que nul individu, nulle réunion partielle de citoyens, ne peut s'attribuer la souveraineté. Or qui oseroit dire que, dans ce pays, la totalité des citoyens veut la destruction de son Gouvernement?

Nous finissons, N. T. C. F. par en appeler à vos cœurs, toujours nobles et généreux. Avez-vous jamais pensé sérieusement aux horreurs d'une guerre civile? Vous êtes-vous représenté des ruisseaux de sang inondant vos rues ou vos campagnes, et l'innocent enveloppé avec le coupable dans la même série de malheurs? Avez-vous réfléchi que, presque sans exception, toute révolution populaire est une œuvre sanguinaire, comme le prouve l'expérience; et que le philosophe de Genève, l'auteur du contrat social, le grand fauteur de la souveraineté du peuple, dit quelque part qu'une révolution seroit achetée trop cher, si elle coûtoit une seule goutte de sang? Nous laissons à vos sentiments d'humanité et de christianisme ces importantes considérations.

Que la grâce de N. S. J. C., la charité de Dieu, et la communication de l'Esprit Saint demeure avec vous tous. Amen.

Sera notre présent mandement lû et publié à messe paroissiale ou principale de chaque église, et au chapitre de chaque communauté de notre diocèse, le premier Dimanche ou jour de fête après sa réception.

Donné à Montréal, le vingt-quatre d'Octobre, mil-huit-cent-trente-sept, sous notre seing et sceau, avec le contre-seing de notre secrétaire.

L. † S.

† J. J. Eveque de Montréal,

Par Monseigneur A. F. Truteau, Ptre. Secrétaire.

(Pour Copie.)

A. F. Truteau, Ptre. Secrétaire.

P. S.—1°. Chaque prêtre lira à son peuple la mandement ci-dessus, sans aucune espèce de commentaire ou d'explication.—2°. Jusqu'à nouvel ordre, on dira tous les jours à la messe l'oraison *pro quacumque tribulatione*, excepté aux messes 1^{re} classe, aux solennelles de 2^{de} classe, à celle du Dimanche des Rameaux, et à celle de la vigile de la Pentecôte; et cette même oraison remplacera celle marquée *ad libitum* dans les autres messes.—3°. Les trois communautés religieuses de ce diocèse réciteront tous les jours, à notre intention, 5 *pater* et 5 *ave* après la messe principale.

† J. J. Ev. de M.

Jac. 2, 10.

Art. 17.

Art. 18.

2 Cor. 13, 13.

— No. 44. —

Copy of a DESPATCH from Lord *Glenelg* to the Earl of *Gosford*.

(No. 281.)

No. 44.

Lord *Glenelg* to
Earl of *Gosford*,
27 Nov. 1837.

My Lord,

Downing-street, 27 November 1837.

I NEED hardly assure your Lordship that the present state of the province of Lower Canada, as described in your recent despatches and letters to me, has for some time engaged the most anxious and deliberate consideration of Her Majesty's Government. We have observed with sincere regret the result which has attended the efforts of those who seek to disturb the public peace, and to alienate the affections of the people from the mother country.

Under these circumstances our first and immediate duty must evidently be a most strenuous endeavour to repress the efforts of the discontented, to re-assert the supremacy of the law, and to inspire confidence and courage in the well-disposed and loyal part of the population of the province.

In considering the means by which these objects are to be effected, we have not failed to advert to the disinterested manner in which your Lordship has left to Her Majesty's Ministers the entirely free and unembarrassed discussion of the question as to your continuance in your office, or your retirement from it, expressing yourself perfectly ready to retire from the government of Lower Canada, should that course appear on public grounds advisable. Your conduct in this particular only corresponds with the whole tenor of it during the period of your official life. It has been under the strong impression of these feelings, and therefore, as I am sure you will do us the justice to believe, with the utmost reluctance, that we have entertained the question thus opened to us by yourself. Deeply grateful to your Lordship for the good faith, the moral courage, and the perseverance with which, under the most discouraging circumstances, you have still endeavoured to carry out the liberal policy of which you were selected as the organ, we cannot contemplate without sincere regret any proceeding which might possibly expose you to misrepresentation, and which cannot fail to subject you to personal inconvenience.

At the same time it is impossible not to perceive that the course of policy which must now be pursued will be more conveniently followed out by one less implicated than yourself in the events of the last few years. Merging therefore, in a sense of public duty, all personal considerations, we have felt ourselves under an obligation to avail ourselves of the generosity with which you have placed the disposal of your office at the unembarrassed discretion of Her Majesty's Ministers, and to advise Her Majesty to relieve you at once from the government of Lower Canada. Her Majesty having been graciously pleased to approve that advice, I have to convey to you Her Majesty's commands that you return to this country. Enclosed is a despatch which you will deliver to Sir John Colborne, on whom, in conformity with the terms of your commission, the administration of the government, until the arrival of your successor, will devolve.

It is, I trust, unnecessary to say that your Lordship retires from the government of Lower Canada with an entire approbation of your conduct during your administration. Selected at a time of unusual difficulty to reclaim by liberal and conciliatory measures those who, on the plea of unredressed grievances, had adopted a hostile posture towards the British Government, your Lordship has acted throughout with the utmost temper, discretion, and good faith. The ill success of your mission is to be attributed to circumstances over which you had no control; and however much you may regret this result, your Lordship will carry with you the satisfactory assurance that in devoting your exertions to the public service, you have discharged high and difficult duties in a manner entitled to the approbation of your Sovereign and your country.

I have, &c.

(signed) *Glenelg*.

No. 45.

Lord Glenelg to
Sir John Colborne,
27 November 1837.

—No. 45.—

COPY of a DESPATCH from Lord *Glenelg* to Lieut.-General Sir *John Colborne*,
K.C.B.; dated Downing-street, 27 November 1837.

Sir,

THIS despatch will be placed in your hands by the Earl of Gosford, and will apprise you that he is about to retire from the government of Lower Canada. By the terms of his Lordship's commission, the provisional administration of that government will devolve on you until Her Majesty shall have appointed some other person to fill that office.

I trust that it is unnecessary to state that Lord Gosford retires without the slightest diminution on either side of the confidence which has invariably subsisted between himself and the Ministers of the Crown; on the contrary, the circumstances which have led to this measure greatly enhance his previous claims on their respect and gratitude. With a generous superiority to every selfish consideration, Lord Gosford has frankly referred to Her Majesty's Government the question, whether it might not be conducive to the public interests that the government should be placed in the hands of an officer less implicated in the events of the last few years than himself, and has desired them to be guided in their decision by an exclusive regard to the public welfare.

I am deeply conscious that the duties which will devolve on you during your temporary administration will be of grave responsibility; but you will not on that account shrink from encountering them with calmness and courage. I am happy to learn from the communications which have reached me from the General commanding in chief, that your military arrangements have been conducted with that foresight and decision on which Lord Hill had every reason to calculate, and which I trust will have powerfully contributed to arrest the attempts to which the more reckless of the leaders in agitation might otherwise have resorted. To maintain or restore tranquillity, and to assert the dominion of the law, is the immediate object to be attained. Without proposing to fetter the discretion which must necessarily be vested in you, I shall, in a few days, address to you such instructions as appear to be required by the existing state of Lower Canada. In the mean time I will only assure you that your measures will receive the most favourable construction, and that you will be seconded by the most full and cordial support which it is in the power of Her Majesty's Government to afford you.

I have, &c.

(signed) *Glenelg.*

—No. 46.—

EXTRACT of a DESPATCH from the Earl of *Gosford* to Lord *Glenelg*,
dated Castle St. Lewis, 6 November 1837.

No. 46.

Earl Gosford to
Lord Glenelg,
6 November 1837.

MY two last despatches will have given you some idea of the political state of the province. Since those communications were written, the plans and designs of the seditious have become much more apparent; and, I regret to say, that their efforts and activity are producing results, to arrest which requires the adoption of much more vigorous and decisive measures than it is within the power of the executive government to put in force; large bodies of them are openly drilled in military tactics, every Sunday, in and near the city of Montreal; and although no concealment is practised, no attempt is made by the civil authorities to put a stop to this treasonable practice, or to arrest and punish those engaged in them. The reasons assigned for this want of energy in the discharge of a public duty are,—1st, The absence of sworn information to identify the parties; and, 2dly, The want of a civil force sufficient to prevent these illegal assemblages and to vindicate the law. In addition to these public drills, I am informed that there are daily drills going on of small bodies of men in private yards and enclosures, and that several French officers have recently been introduced into Montreal, from the United States, for the purpose of giving instruction in military organization, about which they are now busily engaged. On the other hand

hand, the English party in that city have revived an old association called "The Doric Club," and are likewise drilling and arming; and I have every reason to apprehend that some unfortunate collision will before long take place.

Earl Gosford to
Lord Glenelg,
6 November 1837.

I have used and am still using every endeavour to arrest the progress of anarchy and confusion, that is spreading with great rapidity throughout the district of Montreal; but I find the ordinary powers of the executive quite insufficient for the purpose. I mentioned to your Lordship, in my despatch of the 1st instant, that a meeting of the Six Counties had taken place on the 23d October, at St. Charles, and forwarded to you the resolutions then passed; I now enclose, for your information, the Address to the Canadian People, which has been prepared and issued by a committee named on that occasion. Since the meetings, the poison that the agitators have been so industriously scattering appears to have spread more extensively, and been doing its work with more rapidity and success than ever; and in many of the counties in the district of Montreal a very large proportion of the rural population are in such a state that it is difficult to say to what lengths they may not be urged to go.

See Enclosure No. 1,
4 Nov. 1837.

Enclosure No. 2,
"Vindicator,"
31 Oct. 1837.

The object of the leaders appears now to be to put down the authority of the Government, by compelling those who hold commissions under it, in the magistracy or militia, to throw them up; for this purpose large bodies of men in disguise visit at night those who are loyal or disapprove of their proceedings, and by threats of personal violence and destruction of property force them to send in their resignations, and extort from them promises to join the ranks of the patriots, as they term themselves.

By means of this system of terrorism and midnight marauding, they have succeeded in overawing the well-disposed, so that several have forsaken their properties, to seek refuge in the towns or in the neighbouring states; and many magistrates and officers of militia have requested me to accept their resignations, explaining that they took this step in order to save their lives and property. I enclose for your perusal a copy of a letter that I recently received on this subject from a magistrate in the county of Acadie, detailing the state of that county. Dr. Cote, mentioned in the letter, is one of the members for L'Acadie, and the foremost of the leaders in these illegal proceedings. I was obliged to dismiss him from the magistracy, on account of his conduct at a public meeting; and it would seem that his object is to prevent any one else in the county holding a commission under Government. We have at last, however, received such information on oath against him as will bring him within reach of the law for high treason, but whether the law can be enforced is another and a doubtful question.

Enclosure No. 3,
30 Oct. 1837.

I need not dwell further on this part of the case; it is time that I should inform you of the steps I have taken to meet, as far as they can, the exigencies of the moment. In my despatch of the 21st ultimo, I mentioned that I had written to consult with Sir John Colborne as to the practicability and expediency of drawing troops from the Lower Provinces. His answer being in the affirmative, I immediately despatched a letter to Sir Colin Campbell, requesting, if he could spare it, another regiment; and in about a week afterwards Sir John Colborne sent off an express, urging very strongly that two regiments should be immediately sent up. Sir John has also drawn as many troops as possible from the Upper Province. I have despatched the Attorney-General to Montreal, with instructions to use his utmost exertions to maintain good order, and execute the laws against those who are now openly infringing them. With this view I have directed him to organize an efficient police force in that city, and, in short, to leave nothing undone to maintain the public tranquillity. I have also armed him with the necessary authority to deal according to law with the foreign military officers who may be found engaged in treasonable or seditious practices. I have directed the clerks of the peace, in the districts of Montreal and Three Rivers, to call on all magistrates who have not yet taken the oath of allegiance to Her Majesty, to come forward immediately and take the same, and to report to me the names of those who decline or omit so to do. But, after all, these measures will not put down the system of organization and arming that now is extensively going forward in the district of Montreal, nor will they prevent it from spreading into the other districts. Indeed the Central Committee of Quebec, of which I spoke in a former communication, is now actively at work, and have recommended the adoption here of the same process of drilling and organization that is practised in Montreal; and I heard that they intended to commence operations yesterday, had the weather permitted. Enclosure No. 4, is a newspaper, recently established

No. 4.

Enclosure No. 5,
3 Nov. 1837.

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Earl Gosford to
Lord Glenelg,
6 November 1837.

established here, called "The Liberal," which contains a report of the Resolutions passed at the last meeting of the Quebec Committee.

After mature deliberation on the state in which the province is now placed, by the machinations of the agitators, whose designs have become too palpable to be mistaken, I am forced to the unwelcome conclusions, that unless some extraordinary powers be immediately placed in the hands of the local Executive, such as that of suspending the Habeas corpus, and declaring martial law over the whole or parts of the province, the tide of sedition cannot be stemmed but by resort to active military operations; an alternative which I cannot contemplate without the most painful reluctance. The knowledge that the Executive possesses these powers, would probably produce such an effect on the minds of the ill-disposed, as to render it unnecessary to exert them. In any event some prompt and decisive measure must be adopted by the Imperial authorities, to enable the machinery of the local government to perform its functions; it is now nearly at a standstill, and it would be idle to expect that either the present or a new House of Assembly, if summoned, would in any way assist in removing the serious difficulties that now exist; indeed, from all that has passed, I should fear that they would augment our embarrassments. The grievances which were at first put forward by the leaders of this party, would seem to have been mere pretexts to clothe deeper and darker designs. The mask has now been thrown aside, and the people are excited to disaffection and rebellion, by the most artful and unfounded misrepresentations; and even if all the demands of the Assembly were fully and immediately granted, they would, I begin to think, be insufficient to satisfy the views of those whose evident aim is not to reform, but to destroy the established Government and British connexion.

Enclosure 1, in No. 46.

Encl. 1, in No. 46.

AFFIDAVIT of certain Gentlemen of *Montreal*, on the State of Alarm in that City.

THOMAS PHILLIPS, esq., Isaac Valentine, esq., Henry Dyer, esq. and John Jones, printer, all from the city of Montreal, after being duly sworn on the Holy Evangelists, severally depose and say, that they are credibly informed, and verily believe, that on Monday next, the 6th day of November instant, it is the intention of a society, known by the name of "The Sons of Liberty," to parade the streets of the city of Montreal aforesaid; and that, on the same day, a part of a party known as "The Constitutional Association," also intend to do so, when the deponents have every reason to apprehend that the said "Sons of Liberty" and "Constitutional Association" will come in collision, which, in the opinion of the deponents, may not only be attended with loss of life, but with the destruction of property.

(signed) Thomas Phillips.
I. Valentine.
Henry Dyer.
John Jones.

Sworn before me, at Montreal, this 4th November 1837.

(signed) B. Hart., J. P.

(True copy.)

(signed) John O'Sullivan.

Enclosure 2, in No. 46.

(From the "Vindicator" of the 31st October 1837.)

SECOND DAY'S PROCEEDINGS of the CONFEDERATION of the SIX COUNTIES.

Tuesday, 24th October 1837.

Encl. 2, in No. 46.

IN conformity with the resolution passed at the general meeting yesterday, the delegates met this day at the village of St. Charles, to consider such other propositions as may be submitted to them. The said resolution having been read, and explanations having been given by the chairman, Dr. W. Nelson, Dr. Cote and Mr. A. Girod, a committee was appointed to draft an Address on the part of the Confederation to the People of Canada.

On motion of Mr. P. Bertrand, N. P., of St. Mathias, seconded by Lieutenant Joseph Tetreau dit Ducharme, J. P.,—

Resolved,—That it is the opinion of this meeting, that the provincial Legislature exists only in name, and that it is nullified in fact; and that when the Government trampled under foot organic laws by virtue of which society is constituted, the people should maintain them.

On

On motion of Mr. Jaques David Hebert, of L'Acadie, seconded by Mr. J. B. Tetreau, of St. Marie,—

Earl Gosford to
Lord Glenelg,
6 November 1837.

Resolved,—That the people should consequently provide for its own wants, establish that superintendence necessary to good order as well as to social happiness, and that the Convention, the members of which were named at the several primary meetings of counties throughout the province, would be a body to which such a duty might be confided.

Encl. 2, in No. 46.

On motion of Mr. F. C. Ayet dit Malo, J. P., of St. Damase, seconded by Captain J. B. Beaudry, of St. Jean Baptiste,—

Resolved,—That this meeting, relying on the enlightened patriotism of the members who should form the said Convention, calls upon them seriously to consider if the time is not at hand when it ought to meet.

The committee named to draft an address to the inhabitants of the province, here reported a project of address, according to order, and the same having been read, it was, on motion of C. H. O. Cote, esq., M. P. P., seconded by E. N. Duchesnois, esq.,—

Unanimously resolved,—That the said address be received and adopted.

On motion of Dr. Labruere, of St. Hyacinthe, seconded by F. C. Duvert, esq., of St. Charles,—

Resolved,—That the said address be intituled "The Address of the Confederation of the Six Counties of St. Hyacinthe, Rouville, Richelieu, Vercheres, Chambly and L'Acadie, to their Fellow Citizens of Lower Canada," and that it be signed by the officers for and in the name of this meeting, and published.

ADDRESS of the CONFEDERATION of the SIX COUNTIES to the People of *Canada*.

Fellow Citizens,

WHEN a systematic course of oppression has been invariably harassing a people, in despite of their wishes, expressed in every manner recognised by constitutional usage; by popular assemblies, and by their representatives in Parliament, after grave deliberation; when their rulers, instead of redressing the various evils produced by their own misgovernment, have solemnly enregistered and proclaimed their guilty determination to sap and subvert the very foundations of civil liberty, it becomes the imperative duty of the people to betake themselves to the serious consideration of their unfortunate position—of the dangers by which they are surrounded—and by well-concerted organization, to make such arrangements as may be necessary to protect, unimpaired, their rights as citizens, and their dignity as freemen.

The wise and immortal framers of the American Declaration of Independence, embodied in that document the principles on which alone are based the rights of man; and successfully vindicated and established the only institutions and form of government which can permanently secure the prosperity and social happiness of the inhabitants of this continent, whose education and habits, derived from the circumstances of their colonization, demand a system of government entirely dependent upon, and directly responsible to, the people.

In common with the various nations of North and South America who have adopted the principles contained in that declaration, we hold the same holy and self-evident doctrines; that God created no artificial distinctions between man and man; that government is but a mere human institution, formed by those who are to be subject to its good or evil action; intended for the benefit of all who may consent to come or remain under its protection and control; and, therefore, that its form may be changed whenever it ceases to accomplish the ends for which such government was established; that public authorities and men in office are but the executors of the lawfully-expressed will of the community, honoured because they possess public confidence, respected only so long as they command public esteem, and to be removed from office the moment they cease to give satisfaction to the people, the sole legitimate source of all power.

In conformity with these principles, and on the faith of treaties and capitulations entered into with our ancestors, and guaranteed by the Imperial Parliament, the people of this province have, for a long series of years, complained, by respectful petitions, of the intolerable abuses which poison their existence and paralyse their industry. Far from conceding our humble prayers, aggression has followed aggression, until at length we seem no longer to belong to the British Empire for our own happiness or prosperity, our freedom or the honour of the British Crown or people, but solely for the purpose of fattening a horde of useless officials, who, not content with enjoying salaries enormously disproportioned to the duties of their offices, and to the resources of the country, have combined as a faction, united by private interest alone, to oppose all reforms in the province, and to uphold the iniquities of a government inimical to the rights and liberties of this colony.

Notwithstanding the universally admitted justice of our demands, and the wisdom and prudence of remedying our complaints, we still endure the misery of an irresponsible Executive, directed by an ignorant and hypocritical chief; our judges, dependent for the tenure of their office on the mere will and pleasure of the Crown, for the most part the violent partisans of a corrupt administration, have become more completely the tools and mercenaries

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6 November 1837.

Encl. 2, in No. 46.

mercenaries of the Executive, by accepting the wages of their servility, in gross violation of every principle of judicial independence from foreign authority, without the intervention of the people, to whom, through their representatives, belongs the sole right of voting the salaries of their public servants; the office-holders of the province devour our revenues in salaries so extravagant as to deprive us of the funds requisite for the general improvement of the country, whereby our public works are arrested, and the navigation of our rivers continue obstructed; a Legislative Council appointed by men resident three thousand miles from this country, and systematically composed so as to thwart and oppose the efforts of our freely-chosen representatives in all measures for the promotion of the public good, after continuing unchanged during the present administration, thereby depriving the country of the advantages of domestic legislation, has at length been modified in a manner insulting to all classes of society, disgraceful to public morality, and to the annihilation of the respect and confidence of all parties in that branch of the Legislature, by the introduction of men for the most part notorious only for their incapacity, and remarkable alone for their political insignificance; thus making evident, even to demonstration, to all, whatever may be their preconceived ideas, the propriety and urgent necessity of introducing the principle of election into that body, as the only method of enabling the Provincial Legislature to proceed beneficially to the despatch of public business.

Our municipalities are utterly destroyed; the country parts of the province, as a disgraceful exception to the other parts of this continent, are totally deprived of all power of regulating, in a corporate capacity, their local affairs, through freely elected parish and township officers; the rising generation is deprived of the blessings of education, the primary schools which provided for the instruction of 40,000 children, having been shut up by the Legislative Council, a body hostile to the progress of useful knowledge, and instigated to this act by an Executive inimical to the spread of general information among the people—the Jesuits' College founded and endowed by the provident government which colonized this province for the encouragement and dissemination of learning and the sciences therein, has, with a barbarism unworthy the rulers of a civilized state, disgraceful to the enlightened age in which we live, and unparalleled even among the Goths and Vandals, been converted into, and is still retained, as a barrack for soldiery, whilst the funds and property devoted to the support of this and similar institutions have been, and continue to be, squandered and maladministered for the advantage of the favourites, creatures and tools of the Government; our citizens are deprived of the benefits of impartially chosen juries, and are arbitrarily persecuted by Crown officers, who to suit the purposes of the vindictive Government of which they are the creatures, have revived proceedings of an obsolete character, precedents for which are to be found only in the darkest pages of British history. Thus our Judiciary being sullied by combined conspiracies of a wicked Executive, slavish judges, partisan law officers, and political sheriffs, the innocent and patriotic are exposed to be sacrificed, whilst the enemies of the country, and the violators of all law, are protected and patronized, according as it may please the administration to crush and destroy, to save and protect. Our commerce and domestic industry are paralysed; our public lands alienated, at a nominal price, to a company of speculators, strangers to the country, or bestowed upon insolent favourites, as a reward for their sycophancy; our money is extorted from us without our consent, by taxes unconstitutionally imposed by a foreign Parliament, to be afterwards converted into an instrument of our degradation, by being distributed among a howling herd of officials, against our will, without our participation, and in violation of all principles of constitutional law.

In the midst of their honest and unwearied efforts to procure a redress of the foregoing grievances, our fellow citizens have been insolently called on to give an account of their public conduct, for which they were responsible to no individual, least of all to the person whom chance or ministerial patronage may place for a season at the head of our provincial government. They have been harassed and annoyed by dismissals from offices of mere honour, held for the benefit, and at the request, of their own immediate neighbours, because they vindicated the rights of their country, like American freemen; and as an index of further intended aggression, armed troops are being scattered, in time of profound peace, throughout the country, with the presumptuous and wicked design of restraining by physical force the expression of public opinion, and of completing by violence and bloodshed our slavery and ruin, already determined upon beyond the seas.

Such an aggression as this might justify the recourse, on the part of an outraged people, to all and every means to preserve the last of their insulted privileges—the right to complain. But, thanks to the blindness of the aggressors, the wickedness of the measure will be providentially neutralized by its folly. The regiments about to be quartered among us are composed of men sprung from, and educated with, the democracy of their country. They, for the most part, entered on their present profession, not from choice, but because they could not find any other employment in their native land. Instead of being stimulated to good conduct by the hope of promotion, too poorly paid, they are exposed to every sort of petty tyranny, and if a murmur escape their lips, they are subjected, like the bonded slave, to the ignoble punishment of the lash. Contrasting this hard fate with the freedom, content, employment and high wages to be obtained in the United States, and certain that the inhabitants of these counties, lying near and bordering upon the Lines, will not impede the efforts which these soldiers may make to emigrate to the neighbouring republic, it will become morally impossible to keep in Her Majesty's province, whilst scattered in detachments, the men who are now about to be made the vile instruments of our slavery and their own dishonour.

The long and heavy chain of abuses and oppressions under which we suffer, and to which every

every year has only added a more galling link, prove that our history is but a recapitulation of what other colonies have endured before us. Our grievances are but a second edition of their grievances. Our petitions for relief are the same. Like theirs, they have been treated with scorn and contempt, and have brought down upon the petitioners but additional outrage and persecution. Thus the experience of the past demonstrates the folly of expecting justice from European authorities.

Dark, however, and unpromising as may be the present prospects of this our beloved country, we are encouraged by the public virtues of our fellow citizens to hope that the day of our regeneration is not far distant. Domestic manufactures are springing up amongst us, with a rapidity to cheer us in the contest. The impulse given but a few short months ago, by the example of generous and patriotic minds, of wearing domestic cloths, has been generally followed, and will shortly be universally adopted. The determination not to consume duty-paying merchandize, and to encourage free trade with our neighbours, matters of vital importance, is daily becoming more general, resolute and effective. The people are everywhere being duly impressed with the conviction that the sacrifices to be made must bear some proportion to the glorious object to be achieved, and that personal inconvenience for the good cause must therefore be not only freely, but readily, endured.

Fellow Countrymen! Brothers in affliction! Ye, whatsoever be your origin, language or religion, to whom equal laws and the rights of man are dear; whose hearts have throbbed with indignation whilst witnessing the innumerable insults to which your common country has been exposed, and who have often been justly alarmed whilst pondering over the sombre futurity preparing by misgovernment and corruption for this province and for your posterity; in the name of that country and of the rising generation, now having no hope but in you, we call upon you to assume, by systematic organization in your several townships and parishes, that position which can alone procure respect for yourselves and your demands. Let committees of vigilance be at once put in active operation throughout your respective neighbourhoods. Withdrawing all confidence from the present administration, and from such as will be so base as to accept office under it, forthwith assemble in your parishes and elect pacificator magistrates, after the example of your brother reformers of the county of Two Mountains, in order to protect the people at once from useless and improvident expense, and from the vengeance of their enemies. Our young men, the hope of the country, should everywhere organize themselves, after the plan of their brothers, "The Sons of Liberty," in Montreal, in order that they may be prepared to act with promptitude and effect, as circumstances may require; and the brave militiamen, who by their blood and valour have twice preserved this country for ungrateful rulers, should at once associate together, under officers of their own choice, for the security of good order and the protection of life and property in their respective localities. Thus prepared, colonial liberty may haply be yet preserved.

In this hope, and depending for a disenthralment from the misrule under which we now groan on the Providence of God, whose blessing on our disinterested labours we humbly implore; relying on the love of liberty which the free air and impregnable fastnesses of America should inspire in the hearts of the people at large, and upon the sympathy of our democratic neighbours, who, in the establishment of arbitrary rule on their borders, wisely and clearly foresaw the uprearing of a system which might be made a precedent and instrument for the introduction of the same arbitrary rule into other parts of the American Continent, and who can never consent that the principles for which they successfully struggled in the eighteenth, shall, in our persons, be trampled in the dust in the nineteenth century; We the Delegates of the Confederated Counties of Richelieu, St. Hyacinthe, Rouville, L'Acadie, Chambly and Verchères, hereby publicly register the solemn and determined resolution of the people whom we represent, to carry into effect, with the least delay possible, the preceding recommendations, and never to cease their patriotic exertions until the various grievances of which they now complain shall have been redressed; and we hereby invite our fellow citizens throughout the province to unite their efforts to ours to procure a good, cheap and responsible system of government for their common country.

Signed for and on behalf of the Confederation of the Six Counties, this 24th day of October 1837.

Wfd. Nelson, President.

J. T. Drolet, } Vice-Presidents.
F. C. Duvert, }

A. Girod, } Secretaries.
J. P. Boucher-Belleville, }

Enclosure 3, in No. 46.

LETTER from a Magistrate of the County of Acadie, on the state of alarm in the Province; dated St. Valentine, 30 October 1837.

Sir,

At this critical period, when the whole country seems on the eve of a general outbreak against the existing order of things, I consider it my duty to represent to you, for the information of his Lordship the Governor-in-chief, that at this moment there exists the greatest excitement in this county, in consequence of Dr. Côté, M. P. P., in company with several others,

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others, amongst whom Lucien Gagain, of Pointe à la Male, is the most conspicuous, having made a tour of the county, endeavouring, by persuasion and threats, to get all the officers of militia to resign into his (Côte's) hands their commissions, and am sorry to observe he has been too successful, having passed through this parish last Saturday with about 40 in his pocket. Captain Denis Bouchard, and Lieutenants P. Henault and A. Gabouriaux, all loyal subjects, waited upon me yesterday with this information; these gentlemen have for the present refused to comply with the demand; however they were told by Dr. Côte, that unless they complied their houses would be pulled down about their ears, as a sufficient force would be sent against them, in the shape of a *clair-voie* to compel them; and they say, although much against their will, to save their property and families from ruin, will be obliged to comply. Threats are circulated, that the same means will be resorted to against myself; as yet the leaders have not had the audacity to speak to me on the subject; but Lieutenant Gabouriaux called upon me this morning to put me on my guard, as he knew it to be in contemplation by the said Gagain and his party to make the attempt upon my house; and situated as I am in the midst of them, my family are naturally under the greatest apprehension and alarm.

The method concerted to raise a mob, is to pass along ringing a bell, when all are to turn out with their faces blackened, to prevent detection; under these circumstances, no one is supposed to recognise another. Only a few nights ago the like method was actually put in force in the village of L'Acadie against the two magistrates Quesnel and Archambault; the former of whom having refused to comply with their demand, they commenced to demolish his house, when, to save his family, &c., was obliged to accede and promise to resign his commission. I am further informed, that it is the intention to immediately form each county into districts, with a leader to each, and on a certain night, to be hereafter fixed, they are all to turn out, and compel every man to join them under pain of death, or such other punishment as may be decided upon by the mob. The consequence of all this is, that all the well-disposed are under the greatest apprehension of the consequences. It is much to be desired, if possible, that a detachment of troops be stationed at Napierville, the residence of the principal agitator, Côte.

Since writing the foregoing, Mr. Richard M'Ginnes, from L'Acadie, has called upon me, and declares that he shall be obliged to leave his house with his whole family, as he has received positive information that the whole of his neighbourhood are to rise to-night, and that last night a gallows was prepared to hang him on if found upon his premises; he feels confident, from threats lately held out to him, that it is the intention to burn his whole establishment; he is now engaging waggons to move all his valuables immediately.

Lieutenant Dudley Flowers, residing in the Grand Line dividing the counties of Chambly and Acadie, is now here, and declares that his house has been visited by a mob of, he supposes, 60 or 70 persons in disguise, and last night, being the third, they broke and destroyed all the windows, &c., of his house; one of the party had a firebrand to set fire to his house had he any longer refused to comply with their demand of resigning his commission. Such is the state of affairs in this county at this present moment; I therefore trust his Lordship will adopt some active measures to put a stop to such a state of anxiety and confusion.

Looss Odell, esq., of Napierville, has this moment stepped in, and says they are in the same state, expecting an attack every night; he furnishes an express to convey this to Montreal.

N.B.—The said Lucien Gagain, after divine service yesterday, made a very inflammatory speech at our church-door, because all the people did not leave the church when the Bishop's Pastoral Letter was read.

Enclosure 4, in No. 46.

COPY of a LETTER from S. Walcott, Esq., Civil Secretary to the Attorney-General,
dated Castle St. Louis, Quebec, 4th December 1837.

Sir,

Encl. 4, in No. 46.

I HAVE it in command from the Governor-in-chief to acquaint you, that his Excellency having received intelligence from the district of Montreal, that a disorganizing system is there in operation, which, if unchecked, may lead to outrage and the most serious consequences; he desires that you do forthwith proceed to Montreal, and that being there, you do to the utmost of your power arrest and put down all seditious and unlawful practices and proceedings to the fullest extent that the law will permit you.

I am further directed to request that you will communicate this to the Solicitor-General, with his Excellency's injunction, that he join you in giving effect to his intentions.

I have, &c. &c.

(signed) S. Walcott, Civil Sec.

Enclosure

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Lord Glenelg,
6 November 1837.

Encl. 5, in No. 46.

Enclosure 5, in No. 46.

COPY of a LETTER from *S. Walcott*, Esq., Civil Secretary, to the Attorney-General,
dated Castle St. Louis, 4 November 1837.

Sir,

I AM directed by the Governor-in-chief, with reference to my letter to you of to-day's date, to request that on your arrival in Montreal, you will immediately take steps for inquiring into the present state of the police force in that city, with a view to place it on an efficient footing, to an extent commensurate with the exigencies of the times, and so as to enable the civil authorities to preserve peace and good order, and to execute the laws.

The expense which it may be necessary to incur for this service, may be defrayed by your drafts on the commissariat, his Excellency relying on your judgment and prudence for an efficacious and economical use of the credit.

I have, &c. &c.

(signed) *S. Walcott*, Civil Sec.

Enclosure 6, in No. 46.

(From the LIBERAL, 3 November 1837.)

COMITE CENTRAL ET PERMANENT.

Ce Comité a tenu sa deuxième séance en sa Salle le deux Novembre courant, sous la présidence de Barthélémy Lehance, écuyer, et a passé les résolutions suivantes, entr'autres :— Encl. 6. in No. 46.

Proposé par A. N. Morin, écr., secondé par Jos. Légare, J. P. :

Résolu,

Que les nominations récentes au Conseil Législatif, en presque totalité, ne sont pas de nature à satisfaire le peuple du pays et à lui donner des garanties de protection, d'ordre, et de bon gouvernement; mais qu'au contraire nous regardons le dit Conseil comme encore plus hostile que par le passé aux droits et aux libertés de la province, et comme ne méritant en aucune manière la confiance publique, et destiné seulement à perpétuer à toujours la corruption, l'oppression et la tyrannie, à susciter et à alimenter les divisions et les haines, et à servir comme par le passé de boulevard et d'entourage à des administrations corrompues, et d'écho aux volontés arbitraires des oppresseurs de Downing-street et de St. James's Palace; et que nous n'avons non plus aucun respect, mais au contraire un profond mépris, pour la majorité du Conseil Exécutif actuel, dont plusieurs membres n'ont aucune mise ou propriété ni intérêt quelconque dans la province, et que ce corps est composé avec la même tendance et dans les mêmes vues d'hostilité et d'opposition violente et illégale contre la représentation et le peuple de la province.

Proposé par R. S. M. Bouchette, écr., secondé par N. F. Belleau, écr. :

Que le peuple de ce pays a vu avec indignation, et voit encore journellement des mouvements militaires dans la province, et un étalage partout de force armée, qui est absolument incompatible avec l'exercice plein et entier des droits qu'il possède comme partie du peuple de l'Empire Britannique, de se réunir pour délibérer sur les affaires politiques du pays, discuter les mesures propres à prévenir l'anéantissement de leur liberté—et que nous ne pouvons voir ce développement de préparatifs arbitraires que comme un gage de la détermination tyrannique du gouvernement de vexer le peuple du pays, et le contraindre par la force physique de se soumettre aux violations qui ont été commises et qui se méditent de leur droits de citoyens et d'hommes libres—et nous sommes d'avis que cette parade bruyante d'une hostilité prochaine, ne doit qu'ajouter à l'énergie des amis de la réforme, dans l'organisation immédiate de toutes les forces morales et physiques du pays, pour repousser l'oppression qui se prépare à grand frais et de triompher de la tyrannie.

Proposé par N. F. Belleau, écr., secondé par Dr. Rousseau :

Que dans l'état actuel des affaires politiques du pays, et dans la vue de se protéger contre les agressions de nos ennemis, d'encourager tous les amis de la Chambre d'Assemblée, il devient nécessaire de faire organiser des corps de volontaires sur le plan suivi par les jeunes patriotes du Haut Canada et de Montreal, et que nous recommandons la formation de ces corps aux jeunes amis de la cause patriotique dans ce district.

Proposé par C. Hunter, écr., secondé par M. Connolly :

Que nous avons le plus grand respect pour la fermeté, l'indépendance le patriotisme et l'honneur qu'ont montré dans leur conduite publique, et dans leur correspondance avec les commis de l'exécutif, les magistrats et les officiers démis, ou qui ont renvoyé leurs commissions par suite des vexations et persécutions du pouvoir; et qu'en leur leur exprimant à tous nos remerciements, nous prions en particulier ceux de ce district, dans le comté de Beauce et de Saguenay, le major Louis Tremblay, le capitaine J. B. Proulx, et le capitaine Bélanger, d'en accepter le témoignage sincère.

Proposé

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Earl Gosford to
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Proposé par M. Quigley, secondé par M. Teed :

Que la déclaration de Daniel O'Connell, telle qu'enoncée dans sa lettre datée du 2 Sept. dernier, et adressée au peuple Irlandais, "que si les ministres persistaient dans leurs mesures inconstitutionnelles envers le peuple du Canada, lui, pour un, votera contre eux dans chaque division pendant la prochaine session," est très flatteuse pour le peuple de cette province qui s'efforce d'obtenir la liberté, tel que l'a fait le peuple Irlandais, pour qui ce comité a la plus grande sympathie, et il est à espérer que l'exemple du libérateur de l'Irlande sera suivi par ses compatriotes ici, et qu'ils supporteront les droits et les intérêts de leurs pays adoptif.

Proposé par Jos. Légare, J. P., secondé par R. G. Belleau, écr.:

Que nous voyons avec satisfaction que nos compatriotes du comté des Deux Montagnes et des Six Comtés de la rivière Chambly, à défaut de la protection que le Peuple avait droit d'attendre du gouvernement Anglais, et qui est aujourd'hui remplacée par l'illégalité, la violence, les menaces et la loi des baïonnettes, se soient organisés d'une manière permanente pour aviser aux moyens de régler leurs affaires, et par des mesures sages et légitimes n'avoir pas à regretter l'action d'un gouvernement ennemi; et que nous regardons cette organisation comme devant être imitée ailleurs, et comme gage des plus avantageux résultats.

Le Comité s'est ajourné à Jeudi prochain, jour fixé pour leurs séances.

—No. 47.—

(No. 116.)

COPY of a DESPATCH from the Earl of Gosford to Lord Glenelg,
dated Castle of St. Lewis, Quebec, 9th November 1837.

No. 47.
Earl Gosford to
Lord Glenelg,
9 November 1837.

Enclosure, No. 1.
See Encl. No. 2,
4 May 1837.

My Lord,

I HAVE in a late communication expressed an apprehension that some collision would take place ere long between the opposing parties in the town of Montreal, and I have now, with regret, to acquaint your Lordship that my apprehension has been realized. From the accounts that reached me late last night, I find that, notwithstanding a public warning issued by the magistrates, who seem to have been alive to what was intended, and to have fortified themselves with legal advice for their conduct in case of a disturbance, the Patriots, as they are termed, assembled in a private yard in St. James's-street, on Monday the 6th instant, to the number of 300 or 350, and about half-past four o'clock sallied forth into the streets with banners, and armed principally with bludgeons, but in some instances, I understand, with more deadly weapons. A riot was the obvious consequence. No lives fortunately were lost; but in the course of the evening several individuals were much hurt, and some attempts were made to damage the property of persons obnoxious to either party, amongst others that of Mr. Papineau, which were prevented by the timely presence of the military, whom the magistrates called out, after the main conflict between the Patriots and Constitutionalists had terminated in the discomfiture of the former. The "Vindicator" newspaper office was, however, attacked by a party of the latter, after the disturbance was supposed to have ended; and before the troops could arrive for its protection, the presses, types, paper, &c. belonging to the establishment were destroyed and thrown into the streets.

Amongst those who were severely handled in the conflict was Mr. T. S. Brown, reputed, I am informed, to be an American, but who has been for some years settled in Montreal, and carried on business there as a hardware merchant, in which he became bankrupt about two years ago. This individual, from the very active part he has taken in organizing and drilling the Patriots, and advancing their views, has rendered himself particularly obnoxious to the other party. He was, I understand, the leader of the band who issued from the yard and originated the riot.

But your Lordship will obtain a more accurate and detailed view of these unfortunate proceedings from the perusal of the enclosed letters to me, one from the Solicitor General, and the other, quite of a private character, from Colonel Wetherall, commanding the Royals, who was on duty on the occasion.

I have just learned, from the Hon. F. A. Quesnel, the Executive Councillor, that when he left Montreal, on Tuesday night, (the 7th,) at eight o'clock, the city was tranquil, and no appearance of the peace being disturbed, at least for that night; and I trust that now that the Attorney-General, whom I despatched to Montreal

on

Enclosure, No. 3,
7 November 1837.
Encl., No. 4,
6 Nov. 1837.

on the 6th instant, has arrived there, clothed with full directions and as ample powers as I could invest him with for the maintenance of good order, such precautions will be adopted as may prevent the recurrence of like scenes.

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I have, &c.

(signed)

Gosford.

Enclosure 1, in No. 47.

PROCLAMATION issued by the Magistrates of *Montreal*, on the occasion of the Riot in that City, 6th November 1837.

Encl. 1, in No. 47.

WHEREAS depositions have been lodged before the magistrates to the effect that numerous bodies of men, assuming distinctive badges and denominations, and influenced by adverse political opinions, intend on Monday next to parade the streets of this city, from which processions, under the present excited state of public feeling, there is reason to apprehend that riots and tumults may ensue. The magistrates do hereby call upon and urge their fellow citizens to refrain from joining in or forming part of such processions, which are only calculated to disturb the public peace, and endanger the persons and property of Her Majesty's subjects.

By order of the Magistrates, assembled in special sessions.

(signed) *Delisle & Delisle*, Clerks of the Peace.

Montreal, Nov. 4th, 1837.

Enclosure 2, in No. 47.

AFFIDAVIT of certain Persons of an expected Riot in *Montreal*, and QUERIES and ANSWERS to the same by the Solicitor-General, respecting the Duties and Functions of Magistrates in cases of Riot.

Encl. 2, in No. 47.

An affidavit is communicated to me by John Molson, Turton Penn and Benjamin Hart, esquires, three of Her Majesty's Justices of the Peace, which affidavit is as follows:—

"Thomas Phillips, esq., Isaac Valentine, esq., Henry Dyer, esq. and John Jones, printer, of the city of Montreal, being duly sworn on the Holy Evangelists, severally depose and say, that they are credibly informed and verily believe that on Monday next, the 6th day of November instant, it is the intention of a society, known by the name of 'The Sons of Liberty,' to parade the streets of the city of Montreal aforesaid, and that on the same day a part of a society, known as 'The Constitutional Association,' also intend to do so, when the deponents have every reason to apprehend that 'The Sons of Liberty' and 'Constitutional Association' will come in collision, which, in the opinion of the deponents, may not only be attended with loss of life, but destruction of property.

(signed)

"*Thomas Phillips.*
J. Valentine.
Henry Dyer.
John Jones."

Sworn before me, at Montreal, this 4th November 1837.

(signed) *B. Hart. J. P.*

To this Affidavit are appended the following Queries:—

1. What means may be legally used by the magistrates to prevent the tumultuous meetings and processions which are alluded to in the affidavit?
2. If the meetings and processions cannot legally be prevented, what precautionary measures may legally be adopted to protect the public?
3. Supposing a riot to commence, what is the duty of any magistrate who may be present?
4. In swearing in special constables, must the names be taken in rotation from the list, or may the magistrates make a selection?

To these Queries I have the honour to subjoin the following Answers:—

1. If the justices of the peace have a probable ground to suspect that any of the persons known by the above appellations intend to parade the streets, as mentioned in the foregoing affidavit, they may cause such persons to be apprehended, and may compel them to give security for keeping the peace, and for their good behaviour. The justices of the peace have a right to demand such security at their own discretion.

Such are the only legal means for preventing the meetings in question that I am aware of.

2. If such meetings and processions cannot be thus prevented, the precautionary measures which may be legally adopted to protect the public, readily suggest themselves. The sheriff

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sheriff and high constable should be apprized of the impending danger; they should be in readiness, with all the constables and peace officers, and a large number of citizens unconnected with either party, and desirous of maintaining the public peace, should be sworn in as special constables as early as possible. Intelligence should be obtained, if possible, as to the time and places of meeting, to the end that all the influential persons in both parties, and as many as possible of the individuals, may be arrested and bound over to keep the peace, and this at the very outset.

3. Supposing a riot to commence, the duty of a magistrate who may be present is prescribed by the 1st Geo. I., c. 5. This statute enacts, that "if any persons, to the number of 12 or more, being unlawfully, riotously and tumultuously assembled together, to the disturbance of the public peace, and being required or commanded by any one or more justice or justices of the peace, or by the sheriff of the county, or his under-sheriff, &c. &c. &c., by proclamation to be made in the King's (of course in the Queen's) name, in the form hereinafter directed, to disperse themselves and peaceably to depart to their respective habitations, or to their lawful business, shall, to the number of 12 or more (notwithstanding such proclamation made), unlawfully, riotously and tumultuously remain or continue together for the space of one hour after such command or request made by proclamation, that then such continuing together to the number of 12 or more, after such command or request made by proclamation, shall be adjudged felony without benefit of clergy."

The proclamation thus to be made will be as follows:—

"Our Sovereign Lady the Queen chargeth and commandeth all persons being assembled to disperse themselves, and peaceably to depart to their habitations or to their lawful business, upon the pains contained in the Act made in the first year of King George, for preventing tumults and riotous assemblies."

To remain tumultuously assembled for more than an hour after the reading of this proclamation is felony, as has been just seen. When the hour is elapsed, the justice of the peace is by the above-mentioned statute authorized and empowered to seize and apprehend such persons so unlawfully remaining assembled, and he is also authorized to command all his Majesty's subjects of age and ability to be assisting to him therein.

A justice of the peace finding persons riotously assembled, has alone, without waiting for his companions, not only power to arrest the offenders, and bind them to their good behaviour or imprison them if they do not offer good bail, but he may also authorize others to arrest them by a bare command, without other warrant.

If two justices are present (as there is no doubt will be if a riot should take place), they are not to stand during the intermediate hour spectators of any mischief that the rioters may be in the act of perpetrating. Under the 13th Henry IV., c. 7, they may, with the sheriff or under sheriff, call the power of the county (district) to arrest the rioters, if necessary.

In the construction of this statute, with other preceding ones, it has been held that those who attend the justices to suppress a riot may take with them such weapons as may be necessary to enable them effectually to do it, and that they may justify the beating, wounding, and even killing of such rioters as shall resist or refuse to surrender themselves. The justices are of course aware that if the civil power be considered by them insufficient for the suppression of the riot, they have the power of calling a military force to their assistance.

With respect to the suppression of a riot, the situation of a soldier and that of a private citizen is the same. Whatever Her Majesty's subjects may do, the military may do also. I need not say that both citizen and soldier are bound to stay a riot, by all gentle means in their power.

4. In swearing in special constables, the magistrates may make such selection as they please of such persons as they think most fit to be aiding and assisting in maintaining the public peace.

Montreal, 4 November 1837.

(signed) M. O'Sullivan, Solicitor-General.

(A true copy from the original.)

(signed) Delisle & Delisle, Clerks of the Peace.

Enclosure 3, in No. 47.

LETTER from the Solicitor-General to the Earl of Gosford, on the Collision between the opposing Parties at Montreal, 6 November 1837; dated November 7, 1837.

My Lord.

Encl. 3, in No. 47.

I TRANSMIT to your Lordship a copy of the Answers which I gave on Saturday last to the Queries put to me by the magistrates. A riot took place last evening about half-past four o'clock. The accounts in the newspapers cannot be depended upon, because party feelings will give an untrue colouring on both sides. Monsieur Martin gives the following statement as correct.

The *Patriotes* met, to the number of about 350, in a large yard opening in Great St. James's-street, near the American Presbyterian Church. They had their speeches, and their huzzas, and their treason in private, the gate of the yard being shut. A number of Constitutionalists were

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were outside. Stones were thrown into the yard, and towards the close of the meeting grown-up boys were seen pushing sticks under the gate. An English flag was also carried about. The *Patriotes* broke out and drove the Constitutionalists before them towards the Bank, breaking the windows of Dr. Robertson *en passant*. They continued moving on victorious until they reached nearly opposite the Court-house. Here the Constitutionalists, having been reinforced by the Doric Club, made a stand, and drove back their assailants in their turn as far as the Place d'Armes, from which the latter made their escape into the suburb. The troops then came out, and the Doric Club having dispersed, they followed the rioters, who kept in small bodies, through the suburbs. Parties of the Doric now assembled, broke some of the windows in Mr. Papineau's house, and then proceeded to the office of the "Vindicator," the interior of which they demolished before the troops could return. T. S. Brown is said to be dangerously ill.

Some very judicious arrangements were made for placing the troops for the night, and all continued quiet.

The *Patriotes* have despatched no less than 15 expresses to different parts of the country, with the most exaggerated accounts of the whole affair. They have it at La Prairie to-day, that the troops sided with the English to murder the Canadians. I fear it will have a bad effect in the country with respect to the safety of the loyal inhabitants. As for the county of L'Acadie, it is actually in a state of open rebellion. Mr. M'Crae, collector at St. John's, is obliged, through the violence manifested at St. John's, to continue absent from his post. They want him not only to resign his commission as justice of the peace (the only one in their estimation now in that county), but also his commission as collector. St. John's must (say they) be a free port: no more duties shall be collected there. The treason is not confined to L'Acadie, it is spreading far and wide; and unless checked immediately, will soon overrun the whole district. It has already reached St. Constant, as appears by an accompanying deposition. On Sunday last, at La Prairie, a body of young men, 150 strong, organized themselves under a chief (Dr. D'Eschambeault), whom they publicly elected. Lieut.-Colonel Lemai, of the seigneurie of St. Marie, has just called upon me. Disaffection has reached his place also, and is travelling so fast, that unless its progress be speedily checked, it will, I am sure in less than a fortnight, have pervaded the whole country. I have requested Mr. Lemai to write to your Lordship as fully as possible.

I have the honour to be, &c.

(signed) M. O'Sullivan.

Enclosure 5, in No. 47.

EXTRACT of a LETTER from Lieutenant-Colonel Wetherall to Lord Gosford, on the Collision of the Opposing Parties at Montreal, 6 November 1837.

Encl. 5, in No. 47.

I HAD scarcely closed my letter last evening, when the troops were called out by the magistracy to quell a riot then going on. I stated to your Lordship that no procession would take place in consequence of a convention to that effect, by the opposing parties. This convention was formerly entered into by the magistrates, six of whom received the pledges of the respective leaders; notwithstanding this, the patriots assembled to the amount of 500, in an enclosed yard in St. James's-street, where they were duly marshalled, and at half-past four they debouched with banners, &c., principally armed with bludgeons, but with some swords, guns and pistols. At this time there were only a few idlers in St. James's-street, perhaps 20 or 30, and some idle boys who amused themselves by throwing stones over the enclosure within which the patriots were collected. These men and boys were forthwith attacked and driven back to the Place d'Armes. So little was this expected, that they had not even sticks in their hands. Mr. Orr, the hotel keeper, was shot at; Mr. Arnoldi severely hurt; and, I believe, has his arm broken; General Brown severely injured in the head; Dr. Robertson's windows broken, &c. &c. The alarm soon spread, and such a burst of indignation on the part of the English (for, after all, the feeling is English *versus* French) displayed as could scarcely be expected. In a moment the streets were full of men, armed with sticks of all kinds (no arms), even to firebrands hastily snatched from a stove, and the 500 patriots were sorely defeated and driven through the St. Lawrence suburbs, where they made three manly stands; but the English party were irresistible. At this moment, the row being over, the military were called out to protect property and to keep the peace; and I, with my regiment, arrived opposite Papineau's house just as the mob approached it, bent upon its destruction. The column swept this mob before them, they offering no resistance, through the Champ de Mars, where I was ordered to take post. They then proceeded to parade the town through the St. Lawrence suburbs, and by the Bishop's Church, where the patriots had again collected in comparatively small numbers, for the purpose, as is supposed, of destroying that property. Here I had posted a company, which prevented any serious collision. The officer commanding it received from the mob a seven-barrelled gun and a tricolour flag which had been taken from the patriots. After this all seemed quiet, and the magistrates ordered the troops to their barracks. On their way they pounced upon a mob destroying Papineau's house, which was not seriously injured, an outer door and some windows only being broken. We had scarcely reached our quarters when assistance was again demanded to protect the "Vindicator" office. A company went, but the property was destroyed, and the mob had disappeared. The paper, the types, &c. &c. all scattered

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scattered to the winds. I was placed on duty with three companies during the night, and patrolled the streets till daylight. All was still as death; no lives were lost, and no opposition offered to the military. General Brown and his myrmidons were decidedly the aggressors; and will not, I think, repeat an experiment in which they must always fail. The English magistrates have been grossly attacked by those of the opposite party, for not firing upon the English mob, and for allowing the destruction of the "Vindicator" press; but it was impossible for them to foresee that event, their attention was directed to Papineau's house, for which the mob were in full march; having saved that, and the mob having to all appearance dispersed, they had no alternative but to dismiss the military.

—No. 48.—

(No. 1.)

COPY of a DESPATCH from Lord *Glenelg* to Lieut.-Gen. Sir *John Colborne*, K.C.B.
dated Downing-street, 6 December 1837.

No. 48.

Lord Glenelg to
Sir John Colborne,
6 Dec. 1837.

Sir,

My despatch of the 27th ultimo will have apprised you of the approaching retirement of the Earl of Gosford from the government of Lower Canada, an event which, by the terms of his Lordship's commission, will devolve upon you the temporary administration of the affairs of that province.

It is at once my duty and my anxious desire to relieve you, as far as possible, from the very arduous responsibility attendant upon the discharge of that duty at the present moment. I do not, however, propose to enter upon any statement of the course to be pursued respecting those questions of permanent policy which have been agitated between the executive government and the House of General Assembly. All such discussions, however important, are for the present superseded by the urgent necessity which has arisen for maintaining the public peace and restoring the authority of the law. To that one great object your undivided attention will be given, and to that alone will my present communication be confined.

I enumerate in the margin the series of Lord Gosford's despatches which describe the gradual but rapid advance of the enemies of peace and order, from complaints urged at least under the forms of the constitution to the very verge of rebellion. The conclusion from the whole of this intelligence is inevitable, that the leaders of the movement party are restrained only by some remaining considerations of prudence from raising the standard of open insurrection. It is therefore necessary to consider how this crisis is to be encountered.

You appear already to have concentrated upon the points most exposed to danger every part of Her Majesty's forces in British North America, which it has been possible to withdraw from the adjacent provinces. Arrangements have been made for increasing, if necessary, the number of troops under your command with the return of the spring. In the meantime, I trust that your present force will be sufficient to awe the seditious, and to suppress any actual rising which the civil power may be unable to control. If, however, your strength should be inadequate to these objects, you will of course avail yourself of the voluntary zeal of such of Her Majesty's loyal subjects as may be willing to serve under your authority, and to submit themselves entirely to your orders.

The first and highest prerogative and duty of the Crown is the protection of those who maintain their allegiance against the enemies of order and peace. To repress by arms any insurrection or rebellion to which the civil power cannot be successfully opposed, is therefore a legitimate exercise of the royal authority; and, in the attainment of this object, the proclamation of martial law may become indispensable.

It is superfluous to state with what caution and reserve this ultimate resource should be resorted to, and that it ought to be confined within the narrowest limits which the necessity of the case will admit. But if unhappily the case shall arise in any part of Lower Canada, in which the protection of the loyal and peaceable subjects of the Crown may require the adoption of this extreme measure, it must not be declined. Reposing the utmost confidence in your prudence, that such a measure will not be needlessly taken, and relying on your firmness, that, if taken, it will be followed up with the requisite energy, Her Majesty's Government are fully prepared to assume to themselves the responsibility of instructing you to employ it, should you be deliberately convinced that the occasion imperatively demands it. They will, with confidence look to Parliament for your indemnity and their own.

It

No. 48.

Lord Glenelg to
Sir J. Colborne,
6 December 1837.

It might embarrass, but could hardly assist you, if I should attempt to address to you any more detailed instructions for your guidance in the present emergency. Her Majesty's Government cheerfully commit to your hands the safety of the important part of the dominions of the Crown over which your authority will extend. In the discharge of that trust you will have the highest claim to every degree of support which it may be in our power to give.

I have, &c.

(signed)

Glenelg.

—No. 49.—

COPY of a DESPATCH from the Earl of *Gosford* to Lord *Glenelg*,
dated Castle St. Lewis, 14 November 1837.

My Lord,

No. 49.

Earl of *Gosford*
to Lord *Glenelg*,
14 Nov. 1837.

FINDING from the system pursued by the disaffected in this province that the decisive measures I have recently submitted for your consideration become every day more necessary, it naturally occurs to me that, if it should be determined to take a strong course of proceeding, you might feel desirous to intrust the execution of your plans to hands not pledged, as mine are, to a mild and conciliatory line of policy. As I stated in a former letter, I would not shrink from difficulties, nor wish to take any step that would in the least degree embarrass Her Majesty's ministers; but I owe it to you, to myself, and to my sense of public duty, fairly and honestly to declare my conviction, that any alteration that may take place in the policy to be observed towards this province, would be more likely to produce the desired result if confided to a successor, who would enter on the task free to take a new line of action, without being exposed to the accusation of inconsistency, which, just or not, always proves injurious to the beneficial working of any administration. My continuance here to this time has been, as you are aware, solely on public grounds; had I been influenced by private considerations, I should long ere this have solicited my recall; but the principles by which I was actuated would not admit of an abrupt application of this nature; I therefore confine my communication on this head to acquainting you, that my private wish was to return home, but leaving it entirely to you to take the course you might think best calculated to promote the public service. I can now, however, assign reasons of a public nature for wishing to be relieved, which I could not well have done sooner; and should you admit their validity, I trust that, after what I have said, you will feel no hesitation, as regards myself, in making such arrangements as you think desirable.

I have, &c.

(signed)

Gosford.

—No. 50.—

COPY of a DESPATCH from Lord *Glenelg* to the Earl of *Gosford*, dated Downing-street, 23 December 1837.

My Lord,

No. 50.

Lord *Glenelg*,
to Earl of *Gosford*,
23 Dec. 1837.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 14th November, stating the grounds on which you consider it advantageous to the public service that you should be at once relieved from the office of Governor-general of Canada.

From my private letter of the 22d, and my Despatch, No. 281, of the 27th Nov., which will probably by this time have reached you, your Lordship will perceive that the Ministers of the Crown, fully appreciating the disinterested views which you had expressed in several of your private communications, had already advised Her Majesty to accept your resignation. It only remains for me, therefore, to repeat the high sense entertained by Her Majesty's Government of the generous motives by which you have been guided in this respect.

I have, &c.

(signed)

Glenelg.

No. 51.

—No. 51.—

(No. 121.)

COPY of a DESPATCH from the Earl of *Gosford* to Lord *Glenelg*, dated Castle of St. Lewis, Quebec, 22 November 1837.

No. 51.
Earl of Gosford to
Lord Glenelg,
22 Nov. 1837.

My Lord,

As the press of important business has left me but half an hour to secure to-day's post, which is the last that will be in time for the next packet that leaves New York for England, and as I am aware that your Lordship must feel anxious to be informed of the progress of events since my despatch of the 9th instant, No. 116, reporting the collision between the opposing parties at Montreal on the 6th, I hasten to transmit the accompanying documents, six in number, as the shortest and best mode of conveying to you the most detailed account of what has since taken place; and although some of these are newspaper reports, they contain an accurate and full representation of recent occurrences.

Of the twenty-six individuals against whom warrants for high treason have been issued, nine have been taken, and are now confined in the Montreal gaol. Two were rescued near Longueuil, as your Lordship will perceive from the accompanying papers, by an armed force, who fired upon and wounded four of the mounted police. The rest of the accused, including Messrs. Papineau and O'Callaghan, have not yet been found. Some of them, it is supposed, have fled into the adjoining States; but Mr. Papineau is not of the number, although it is uncertain where he is.

Upon the advice of my council, and the representations of the Attorney-general, that the success of his initiatory legal proceedings would be hazarded, and he was unwilling therefore to incur the risk of commencing them, so long as certain individuals remained in the magistracy for Montreal, I at once issued a new commission of the peace for that district, omitting the names of the objectionable Justices, and inserting others in their place; and I have authorized the formation of an armed volunteer corps in the eastern townships, to the extent of 800 men. These decisive measures, and the desertion of the leading agitators in the moment of danger, will, I trust, open the eyes of the deluded habitants, and eventually restore public tranquillity and good order, without my being obliged to act upon the Report of the Executive Council of the 20th instant, for declaring parts of the district of Montreal in a state of insurrection and rebellion.

Five individuals, including Mr. Morin, the member, were lately arrested in this city for seditious practices; but they have been admitted to bail by the Chief Justice of the province, the accused in 500*l.*, with two sureties each in 250*l.*

The post has been waiting for me some time, and I cannot detain it any longer.

I have, &c.

(signed) *Gosford.*

Enclosure 1, in No. 51.

REPORT from the Attorney and Solicitor Generals, respecting Proceedings in the District of *Montreal*.

Sir,

Montreal, 18 November 1837.

Encl. 1, in No. 51.

IN obedience to the commands of his Excellency the Governor-in-chief, conveyed to me by your letter of the 4th November instant, that his Excellency, having received intelligence from the district of Montreal that a disorganizing system is there in operation, which, if unchecked, may lead to outrage and the most serious consequences, desires that I do forthwith proceed to Montreal, and that being there, I should to the utmost of my power arrest and put down all seditious and unlawful practices and proceedings to the fullest extent that the law would admit; and further, that you were directed to request that I would communicate that letter to the Solicitor-general, with his Excellency's injunction that he should join me in giving effect to his intentions, I proceeded immediately to Montreal, and, in accordance with the above instructions, put myself into instant communication with the Solicitor-general. In conjunction with him, I have the honour to report:—

That our undivided attention has been since devoted to the attainment of such evidence as would authorize the arrest of those political incendiaries, to whose machinations the present alarming state of this city and district is to be attributed. Having at length accomplished this important object, by the assistance of Messrs. Cuvillier and Penn, two of the magistrates of this district, to whom the depositions and accompanying documents were submitted, with our opinion, that the charges contained in them amounted to high treason against the parties implicated therein. Warrants were issued for their apprehension to the number of 26. The names of these individuals are contained in Appendix, letter A.

The

The high constable and special constables to whom the execution of this duty was confided, succeeded in arresting in the night of the 16th instant, and lodging in the common gaol of this district the six persons named in Appendix B.

Earl of Gosford to
Lord Glenelg,
22 November 1837.

Warrants were simultaneously issued for the arrest of Drs. Davignault and Lionnais, and P. P. D'Emery, Notary-public, and entrusted to a body of mounted police, who, accompanied by a magistrate, were despatched that night by way of Longueuil and Chambly, to their respective residences. It is to be regretted that the object of this expedition has been frustrated; the police were successful in apprehending two of the accused, but upon their return to Montreal, when within two miles of Longueuil, they were intercepted by a large body of armed inhabitants, who, firing upon them from behind the fences and a barn which bordered the road, where they were themselves unassailable, compelled the police to abandon their prisoners. Depositions having been made to this effect, and it having been deemed expedient to reinforce the garrison of Chambly with four companies of the Royals, under Lieutenant Colonel Wetherall, and two pieces of artillery, a party of mounted police, accompanied by the deputy sheriff, two magistrates and a constable, have been despatched with the military, under instructions to recapture the prisoners, if practicable, and further, to arrest any individuals who might be identified as having aided and abetted in a treasonable rescue. In the course of yesterday, Dr. Lionnais, one of the accused, who was absent from his house on Thursday night, was arrested in the city, and committed to the common gaol.

Encl. 1, in No. 51.

Awaiting further intelligence, we have the honour, &c.

(signed) C. R. Oyden, Attorney-General.
M. O'Sullivan, Solicitor-General.

Appendix (A.) to the Attorney and Solicitor General's Report, dated 18 November 1837.

* J. F. B. Lionnais.
P. P. Demaray.
Jos. F. Dairgnon.
Cyrille H. O. Cote, M. P. P.
J. Gagnon.
* Louis M. Veger, M. P. P.
P. Amiot, M. P. P.
Jos. T. Drolet, M. P. P.
* Chas. A. Liblane.
* F. Tavernier.
Louis Jos. Papineau, M. P. P.
Amury Girod.
W. Nelson.

Louis Perrault.
Thomas S. Brown.
* J. Dubuc.
Ed. E. Rodier, M. P. P.
Edmund B. O'Callaghan, M. P. P.
* A. Simard.
A. Gauvin.
L. Ganthier.
R. Desriviers.
J. Girouard, M. P. P.
* A. Ouimet.
* G. M. Boucherville.

N. B.—Those who have a star against their names, have been arrested, and are in gaol.

Enclosure 2, in No. 51.

MORNING COURIER EXTRA.

Montreal, Saturday, 18 Nov. 1837.

ARRESTS in *Montreal*; Rescue of two Prisoners arrested at *St. John's*.

THE events of yesterday and the day before are of a nature to require of us the fulfilment of our promise made at the beginning of this month, of an extra sheet, whenever news of particular interest was to be communicated. We were prevented from publishing in our yesterday's paper the earlier part of the narrative we now present, by a special request, as well as by the fear of perhaps impairing the success of the measures that were in progress by any too early publicity, such as we might then have given them. It was not till about nine o'clock on Thursday evening that they became known at all; and it was then considered best that for a short time they should remain as little known as possible.

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On Thursday evening a considerable number of warrants were lodged in the hands of Mr. Delisle, the high constable, who entered immediately on the discharge of the duty assigned him, and succeeded, with a party of special constables, in arresting six of the delinquents, Messrs. Andre Ouimet, president of the "*fil de la liberté*," J. Dubuc, an *employé* at Pigeon's tavern, Frans. Tavernier, of the Faubourg St. Antoine, George De Boucherville, advocate, Dr. Simard and a student at law named Leblanc. Several other warrants were not served, owing to the absence of the parties for whose benefit they were intended. Among the absentees, we understand, were Dr. O'Callaghan, Thomas S. Brown, Rodolphe Desrivieres and Ovide Perrault. The arrested parties were all safely lodged in gaol. A report has been in circulation that Mr. Desrivieres has since been arrested, but up to last night nothing had occurred to warrant it. Mr. Ouimet, we are informed by one of those engaged in his arrest, did honour to the "*juponnesse*" whose president he is, by weeping bitterly on the way to his winter quarters, an exhibition of the manly spirit of a revolutionist hero, which greatly edified his captors.

We have not learned positively the precise nature of these arrests. Public report declares them to be for high treason; and we are not aware that there is any reason to suppose it incorrect

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Earl of Gosford to
Lord Glenelg,
22 November 1837.

Encl. 3, in No. 51.

incorrect in this particular. That treason has been committed by the parties there can be no question. We hope the time is at last come when it can be proved upon them.

At eight o'clock on the same evening, a party of 18 of the Royal Montreal Volunteer Cavalry, under Lieut. Ermatinger, was despatched to St. John's, *via* Longueuil and Chambly, with constable Malo, to effect the arrest of two worthies of that place, Messrs. Dr. D'Avignon and Demaray. Having quietly effected their object, they set out on their return, about three o'clock in the morning, by the same road. Not far from Chambly, they met with a party of about 30 persons, variously armed, who, however, went off as they approached. At about a mile from Longueuil, they were warned by a woman that a large body of men were in waiting for them a little further on; but from some cause or other the information was disregarded, and the party proceeded as before. They had gone on but a very short distance, when they found themselves almost close to a body of about 300, in a field on the right of the road, protected by a high fence, and armed with rifles and muskets. The party in advance moved on to pass them, but was received by a heavy fire, which it was impossible for them to return with effect, armed as they were with pistols only, and from a body which, on account of the high fence, they could not charge sword in hand. Under these circumstances, they fell back on the main body of the party, though not until several shots had told with effect upon them. Lieut. Ermatinger was wounded, we believe with duck-shot, in the face and below the shoulder, Mr. Sharp received a bullet through the leg, a little below the knee, and Mr. John P. Ashton also received a slight wound from a slug. Mr. John Molson, junior, had a narrow escape for his life, a bullet passing through his cap and grazing his head. Mr. Joshua Woodhouse is also wounded, and we believe from all we hear, severely. Several of the horses, we are told, were more or less wounded. In turning to retreat, the waggon in which the constable and the two prisoners were was upset, and necessarily left behind by the cavalry, who then made their way into Longueuil across the fields. On arriving there they found a detachment of two companies from the 32d regiment, under Major Reed, who had been despatched at an early hour from Montreal, to receive and support them in case of necessity, but whose orders had unfortunately directed him not to proceed beyond Longueuil. The prisoners had, however, then made their escape, and the whole body returned to the city for further orders.

Some two hours afterwards, Constable Malo returned to the city, reporting none others killed or wounded, and of course without his prisoners.

We understand that the four companies of the Royals now in town have received orders to march early this morning, under Lieut.-colonel Watherall, *к. н.*, on special duty not yet precisely disclosed, between Longueuil and Chambly. They will be accompanied by one, or perhaps two, field-pieces, and we trust their orders will prove to be such as to bring to a speedy issue the whole business of yesterday's attack.—A recapture, a few new captures, and a satisfactory account of any parties that may be found, should there be any such, to oppose either, are what the circumstances of the case require, and what we trust they will not require in vain.

Conflicting reports are current as to the *locale* of the unarrested leaders, and of Mr. Papineau in particular. By some it is confidently stated that he is in town, by others, that he has even left the country, and crossed the line. We believe neither report to be correct. The authorities, we trust, will lose no time in following up the blow they have now struck. They have passed the rubicon, and the success of their measures must henceforth depend mainly on their promptness. No stone must be left unturned to ensure the arrest of every man against whom evidence can be found to warrant a fair hope of his conviction. If Mr. Papineau or any other such individual be yet in town, it will obviously be the game of the party to have it believed that he is not. We hope the parties interested will be on their guard against the *ruse*, and not relax in their efforts to ensure the apprehension of all the missing candidates for gaol apartments.

There is a little doubt expressed in some quarters as to the fact of a warrant being actually out against Papineau, but we trust there is no ground for such a doubt. The number of warrants prepared is, we believe, considerable, and some one of them must be for the head offender. The arrest of A. N. Morin, in Quebec, shows that there is no intention of allowing the leaders to leave all the dangers of revolution to their underlings.

We have reason to hope that a considerable number of additional arrests are likely to be made in and near Quebec. Let the aim be high and steady, and we care not how often it may be taken. The more men the better: but the highest must be among the first.

The best argument we can urge upon our readers to induce them to renewed activity and spirit in their country's cause, is to be found in the events of the last day or two. The long desired blow is at last struck by the government. Blood has at last been shed by the rebels, who now stand unmasked, and fairly subject to the worst penalties of the laws they have insulted. No British subject could desire better things. Let but the enemy be seen, and the result is certain. Argument is no longer needed to convince any one of what each man's conscience must now plainly tell him to be his duty. He has but to remember that England expects every man to do it.

We see from last night's "Populaire," that Mr. Demaray, one of the parties rescued at Longueuil, has just been discharged from his situation as postmaster at St. John's. The public will be no losers.

THE CHIEF OF THE REBEL GANG TAKEN.—Amable Norbert Morin, director-in-chief of the seditious and treasonable proceedings of the Permanent and Central Committee of Quebec, and chief spy of the Montreal faction, was lodged in jail this morning, on a similar charge

charge to that on which Jos. Legaré, Pierre Chasseur, Eugene Trudeau and Barthèlemi Lachance. A. N. Morin was committed until Saturday, when he will be further examined, and most probably be accommodated with quarters by Mr. Jeffrys for the whole winter.—
“Quebec Morning Herald,” of Wednesday.

Earl of Gosford to
Lord Glenelg,
22 Nov. 1837.

Encl. 2, in No. 51.

Sir John Colborne has called in the old pensioners and the old soldiers, who are willing to serve, both to enter on immediate active service.—“Populaire.”

Enclosure 3, in No. 51.

Mercury Office, 22 November 1837.

THE anxiety with which all intelligence from the district of Montreal is sought after, induces us to furnish our subscribers with the following latest particulars, which we copy from the “Morning Courier” of Monday.

Encl. 3, in No. 51.

MARCH of the Troops to *Chambly*;—Arrest of Seven Prisoners on the Road.

Between seven and eight o'clock on Saturday morning, the troops set out for *Chambly*, under Lieutenant-colonel Wetherall, as stated in our Extra. Four companies of the Royals, a party of the Royal Artillery, with two field-pieces, under Captain Glasgow, and from 16 to 20 of the Montreal Volunteer Cavalry, under Captain David, formed the detachment. Among the latter we understand there were a good many of those who had been out on the severe duty of the day before. Lieutenant Ermatinger, in particular, and Messrs. Molson and Ashton, though slightly wounded the day before, were among the number. The deputy-sheriff, Mr. Duchesnay, and S. Bellingham and P. E. Leclerc, esquires, magistrates, accompanied the detachment to authorize its movements.

The spot where the attack was made on Friday upon the cavalry is, as we now learn from parties who have since gone over the ground, from two to three miles out of *Longueuil*. On arriving at the place, the detachment found the waggon in which the prisoners had been conveyed lying by the road-side, a dead horse in the road, and tracks of blood in the field where the assailants had been posted, from which it would appear that some execution was done by the fire of the cavalry previous to their retreat. The houses and barns by the road-side, from which the cavalry had been fired upon in their retreat, were all found with the doors and window-shutters nailed up. A careful search was of course made, but though the fires were still burning in some of them, there were neither weapons nor inmates to be found in any. The party then proceeded along the road, finding the houses, with one or two exceptions only, deserted, and uniformly without arms in them. Scouts were frequently seen mounted, and riding down the several concession roads towards the main road; but on sight of the troops they uniformly started off again. An individual who was met upon the main road stated that, as he came along, he had seen numbers of men, women and children leaving the houses along the road, and going off right and left, the men mostly armed. About six miles from *Chambly* a man was overtaken on the road, armed. When arrested, he admitted that he had turned out to join a party that was designed to intercept the troops. About a mile further, the cavalry, who were in advance of the main body, gave chase to a party of about 30 armed horsemen, whom they saw at some distance before them, and who made off immediately at full speed, turning to the left up a concession road towards the *Belleisle Mountain*. After a mile and a half of hard riding, most of them took to the woods, while the remainder made their escape along the road. A company of the infantry coming up were then ordered into the bush, the cavalry being drawn up along the edge, to cut off such as might be driven out. Some 20 or 30 shots were exchanged; with what effect on the rebels is not known; and two prisoners, named *Mongeau*, father and son, and four horses, were taken. None of the soldiers were hurt. The elder *Mongeau*, when taken, was armed with a horse pistol—the younger with a fusée. Both had a good supply of ball-cartridge, a part of which they declared to have been served out to them by Dr. Kimber, of *Chambly*, one of the missing heroes of the revolution, whose present *locale* is by many shrewdly conjectured to be south of line 45 degrees. On arriving at *Booth's Tavern*, not far from *Chambly*, a party of about 100 men were found posted just beyond the bridge; but they made off so fast, as the troops came up, that only four of them were taken. The party reached *Chambly* with their seven prisoners a little after sun-down. From the general statements made by the prisoners, it is evident that a large body of men had been called out to oppose the troops, and that courage rather than numbers was wanting to induce them to attempt it. The two *Mongeaux*, we understand, are identified as having been of the party that fired on the cavalry on Friday. The two magistrates and the deputy-sheriff returned on Saturday to the city. The troops, with their prisoners, who are placed in separate confinement, remained at *Chambly*.

We have heard complaints made in some quarters of the small force despatched on the former errand for the arrest of *Demaray* and *D'Avignon*. We believe a very short answer may be made to them. Until the civil force had been proved inadequate, Sir John Colborne could not have been justified in furnishing a military force for such a purpose. The volunteer cavalry were employed in the capacity of special constables on that occasion. The forcible rescue of the prisoners from their hands has happily warranted the stronger measure, which was adopted the next day. We may now look every day for intelligence of the utmost importance. Virtually, the whole neighbourhood in which these events have occurred

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occurred is already in a state of war. It cannot be long before it will be regularly declared to be, to all intents and purposes, under martial law.

The arrests in this city, of whose nature we spoke with some little uncertainty on Saturday, we have since ascertained to be for high treason, as they ought to be. The arrested parties are all in separate confinement. Those who were taken in arms on Saturday are of course all guilty of treason also.

Since the six arrests on Thursday evening, three others have been made in Montreal, all for the same crime. On Friday evening, Messrs. Joseph Lettore and Dr. B. Lionais, both of St. Athanase, made their appearance in town, much to the surprise of their captors, and were speedily committed to gaol, as much to their own surprise. On Saturday, Mr. Louis Michel Viger, President of the Banque du Peuple, was quietly lodged in the same building, in consequence, it is said, of some peculiarly heavy charges against him, relating chiefly to the financial concerns of the party. If the half of what is currently believed be true, some startling disclosures may shortly be expected of certain means by which the "sinews of war" have been supplied, to aid in the procurement of arms and other matters contraband of war.

The reports that are brought into town by private letters from St. Eustache and its neighbourhood represent the meeting held in that quarter on Friday, of which such flaming reports were spread beforehand, as a very insignificant affair. Not more than from 100 to 150 are said to have been present.

It is generally thought, we believe, that the attack made on the cavalry on Friday was not made with any particular intention of rescuing the two prisoners, the fact of whose arrest was certainly not known, and probably not suspected beforehand by the assailants.

The work of organization goes on bravely in all parts of the city. From the highly satisfactory replies of the Governor and Commander-in-chief, to the request for a general military organization of all loyal citizens, for the defence of the city in case of emergency, it may be confidently expected that Montreal will very shortly be in a condition to spare almost every man of the regular troops now in garrison here, should they be wanted for the defence of the more scattered loyalists through the country. This is as it should be.

The publication of the "Vindicator," it is currently reported, is to be resumed at Burlington. What a capital excuse for certain of the leaders for taking up safe winter quarters south of the line! What a valuable commodity is discretion!

Montreal Herald, Monday Evening, November 20.

The insurrection goes on, as every man of common sense must have anticipated. On Saturday a party of the volunteer cavalry again set out for Chambly, but accompanied by two brass guns and a considerable portion of the Royals. On their march across the country, the cavalry were fired at by a large body of rebels from a considerable distance. The rebels, supposing that they had only the cavalry to meet, as on the preceding day, had stationed themselves on ground impracticable for horses; but the moment the red coats were perceived, the heroes fled as fast as ever did that rewarded and honoured coward, Jacques Viger, from Sackett's Harbour. The battle then became a pursuit; and seven of the unfortunate wretches were captured with arms in their hands, and two of them, of the name of Mongeon, reloading their muskets, when questioned, stated, that Dr. Kimber had ordered the attack. So much for the country; and now for the town. Mr. Louis M. Viger, head of the People's Bank, was arrested on Saturday evening, on a charge of high treason, and lodged in gaol. It seems to be the general opinion, that more than one Viger would be all the better for a little hanging. The People's Bank, by-the-bye, seems to be in a bad way, having lost its clerk, Desriviers, its privy councillor, Brown, and its commander, Viger. Some of the more cautious stock-holders may like to know, that the concern must now be chiefly in the hands of Mr. Jacob De Witt. For the arrest of Beau Viger, the loyalists are mainly indebted to the zeal and activity of certain newly-made special constables. To the same parties is also to be ascribed a pretty extensive search for that miserable poltroon, Papineau, who skulks, as was to be expected, from the storm of his own raising. If the agitator be in the country, he will be found; his very dupes will turn against their tempter and betrayer.

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LE LIBERAL. EXTRAORDINAIRE.

Quebec, Samedi, 18 Novembre 1837.

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AUJOURD'HUI vers midi et demi, nos cinq compatriotes, Messieurs Chasseur, Trudeau, Lachance, Légaré et Morin, injustement et tyranniquement incarcérés et persécutés par le nommé Robert Symes, dont la haine et la fanatisme politique s'étaient en cette occasion enveloppés d'un manteau de magistrat, inutile et faible gaze à travers lequel tout le monde a pu voir à nu Robert Symes l'ennemi acharné, l'ennemi éhonté et juré de tout ce qui porte un nom Canadien; aujourd'hui disons nous, nos cinq compatriotes, sur des *Habeas Corpus*, ont paru devant son Honneur le Juge en Chef de cette Province, qui les a admis à caution pour

pour leur comparution au term de mars, ou devant un cour d'Oyer et Terminer, si une telle cour venait à siéger.

Le cautionnement donné par chacun de ces Messieurs est de 1,000*l.*, savoir:--L'accusé pour 500*l.*, et deux caution de 250*l.* chaque.

Une nombreuse suite d'amis a accompagné ces Messieurs jusqu'à leurs demeures respectives, et les a salués par des *houras* prolongés.

Pour faire voir aux magistrat Robert Symes, que ses odieux procédés n'ont intimidé personne, et qu'on se moque de lui et du pouvoir respectable d'ailleurs, mais dont il a si audacieusement abusé; et pour donner le plutôt possible à ceux de nos compatriotes qu'il a choisis pour victimes une preuve, entre mille autres, qu'ils n'ont pas été oubliés par leurs concitoyens pendant leur inique détention, nous publions sur cet Extraordinaire les résolutions votées avec enthousiasme à l'assemblée du Comité Central de Jeudi dernier.

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COMITE CENTRAL et PERMANENT de la CITE et du DISTRICT de QUEBEC.

Séance du 16 Novembre.

Présidence de M. John Teed; J. E. Turcotte, écr., Secrétaire.

Le comité ayant pris en considération les évènements extraordinaires qui se passent actuellement en cette cité;

Sur motion de M. Louis Matthieu, secondé par M. Thomas Roach:—

Résolu, Que les vexations arbitraires, et les procédés inconstitutionnels adoptés récemment par le Magistrat Robert Symes, en profitant de son autorité pour incarcérer certains citoyens respectables de Québec, en les détenant dans la prison commune de ce district pour une plus longue période que celle de 24 heures, et en refusant de les admettre à caution, sont de la part du dit Robert Symes des actes qui ne trouvent de justification nulle part, et qui méritent une punition exemplaire.

Sur motion de Charles Hunter, écr., secondé par M. Olivier Fiset:—

Résolu, Que l'arrestation de Messieurs Chasseur, Trudeau, Légaré, Lachance et Morin, sans aucune accusation définie, sur un *warrant* signé par le dit Robert Symes, dont l'autorité est regardée comme une nuisance publique, est un de ces procédés qui doivent essentiellement tendre à détruire l'affection et les liens qui peuvent unir encore les loyaux sujets Canadiens au gouvernement de Sa Majesté, par la connivence et la sanction apparente donnée par le gouvernement local à ces actes de tyrannie et d'oppression.

Sur motion de M. Patrick Heron, secondé par M. Jn. Bte. Hardy:—

Résolu, Qu'une humble adresse soit présentée de la part des citoyens de cette cité à son Excellence le Gouverneur-en-chef, pour le prier de vouloir bien destituer immédiatement le dit Robert Symes de sa commission de juge de paix, en conséquence de ses procédés arbitraires, illégaux et oppressifs, lesquels procédés ayant avec raison attaché pour toujours l'exécration publique au nom du dit Robert Symes; et qu'un comité de dix membres soit nommé pour préparer la dite adresse et la faire signer par les citoyens de cette ville.

Le dit comité ayant été choisi,

Sur motion de J. E. Turcotte, écr., secondé par M. Louis Charland:—

Résolu, Que convaincus comme nous le sommes de l'innocence et de la pureté des actes et des intentions de Messieurs Chasseur, Trudeau, Lachance, Légaré et Morin, et par conséquent de l'injustice et de la tyrannie qu'il y a dans les procédés adoptés contre eux, et ressentant profondément toutes les vexations et l'arbitraire qu'il y a dans ces actes du plus odieux despotisme, nous approuvons hautement et solennellement la conduite politique de nos compatriotes incarcérés et persécutés, et nous vouons plus solennellement encore au mépris et à l'indignation des habitants du pays tous ceux qui ont pris part à ce bouleversement et à cet anéantissement des droits le plus reconnus et les plus sacrés d'un sujet Britannique; et que cette persecution inique supportée et bravée par nos compatriotes avec toute la dignité, la force et l'énergie que peuvent inspirer une conscience pure et l'amour de la patrie, est la preuve la plus éclatante qu'ils ont bien mérité de leur pays, et leur assure pour toujours le respect, l'estime et la reconnaissance de leurs compatriotes et de la postérité.

Sur motion de M. Henry Talbot dit Gervais, secondé par M. Charles Carrière:—

Résolu, Que loin d'être intimidés ou arrêtés par les violences et la tyrannie que l'on exerce en ce moment contre cinq de nos compatriotes, nous, les réformistes de la cité et du district de Québec, devons trouver dans ces odieuses persécutions l'indispensable nécessité de nous unir plus fortement que jamais, de nous organiser, et de redoubler notre activité et nos efforts pour repousser les attentats vexatoires de nos ennemis communs.

Ensuite, des remerciemens ayant été votés à M. le Président, le Comité s'ajourna à l'appel de ce Monsieur.

Par ordre, J. E. Turcotte, Secrétaire.

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REPORT of EX-COUNCIL on State of the Province, 20 November 1837.

Monday, 20 November 1837.

At the Council Chamber in the Castle of St. Lewis.

Present :

His Excellency the Earl of Gosford, Captain-General and Governor-in-Chief, &c. &c. &c.

The honourable Mr. Stewart,
Mr. Pemberton,
Mr. Punet,
Mr. Debartzch, and
Mr. Quesnel.

HIS Excellency laid before the Board the official Report of the Attorney and Solicitor General, dated 18th November 1837, on the disturbed state of certain parts of the district of Montreal, and the measures adopted by them in consequence thereof.

HIS Excellency further laid before the Council a letter from I. Jobson, a Justice of the Peace, and major of militia, dated St. Valentin, county of Acadie, 16th November 1837, detailing the state of his neighbourhood; and his Excellency having brought under the notice of the Board the present aspect of affairs and the progress of resistance to the civil authorities in certain parts of this Province, requested their advice with reference to the state of the Province generally, the results likely to ensue, and what measures and precautions should be adopted by the Executive, if matters do not take a more favourable turn.

Whereupon it was ordered, with the advice of the Board, that inasmuch as the civil authorities have proved insufficient in certain parts of the District of Montreal to carry the law into effect without the aid of the military force, it will become expedient, should such a state of things continue, to declare those parts of the said district in a state of insurrection and rebellion.

Certified,

George H. Ryland.

Enclosure 6, in No. 51.

REPORT of EXECUTIVE COUNCIL of 22 November 1837.

Wednesday, 22 November 1837.

Encl. 6, in No. 51.

At the Council Chamber in the Castle of St. Lewis.

Present :

His Excellency the Earl of Gosford, Captain General and Governor-in-Chief, &c. &c. &c.

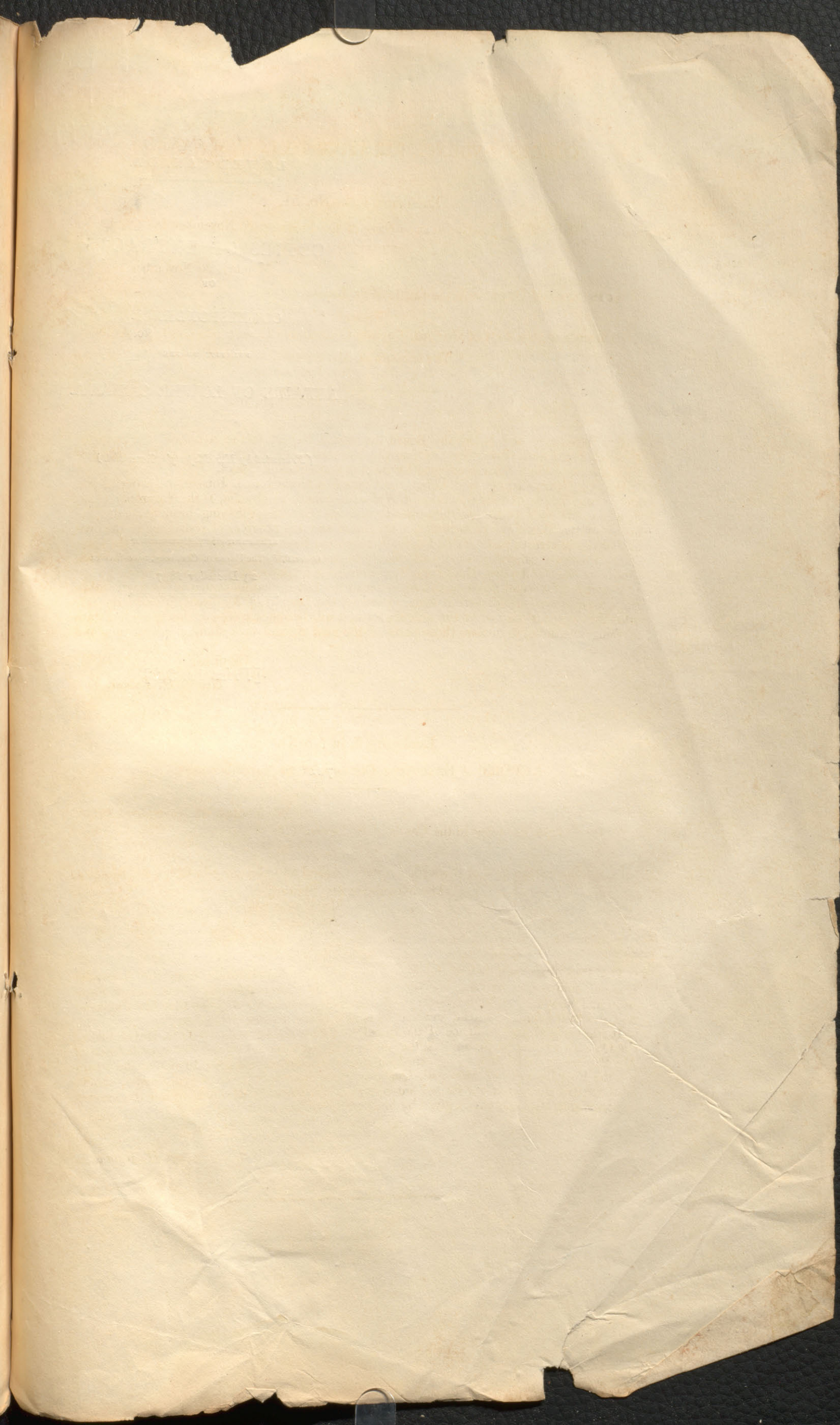
The honourable Mr. Stewart,
Mr. Pemberton,
Mr. Punet,
Mr. Debartzch and
Mr. Sheppard.

HIS Excellency laid before the Board the official communication from the Attorney-General, stating that warrants had been issued for the apprehension of Louis Joseph Papineau and 26 others, for high treason; and there being reason to suppose that Mr. Papineau had absconded from Montreal, and that he is now in the district of Quebec;

It was ordered, by the advice of the Board, and after having examined Mr. Duval, one of the Queen's counsel on the subject, that immediate steps be taken for the apprehension of Mr. Papineau; and that it being expedient that a warrant, signed by a Justice of the Peace for the Five Districts of Montreal, Quebec, Three Rivers, St. Francis and Gaspé, should issue for this purpose, it was further ordered, that Mr. Duval be directed to draft the warrant in accordance with the advice given by him on the subject.

Certified,

George H. Ryland.



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